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JOURNAL

AND

PROCEEDINGS

OF THE

Missouri State Convention,

HELD AT

JEFFERSON CITY AND ST. LOUIS,

March, 1861.

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AN ACT

TO PROVIDE FOR CALLING A STATE CONVENTION.

WHEREAS, In the opinion of the General Assembly, the condition of public affairs demands that a Convention of the people be called, to take such action as the interest and welfare of the State may require: Therefore,

Be it enacted by the General Assembly of the State of Missouri, as follows:

SECTION 1. That an election for delegates to a Convention of the people of the State of Missouri, shall be held at the several places of voting in this State, on Monday, the 18th day of February, one thousand eight hundred and sixty-one, which election shall me managed and conducted by the Sheriffs, or other proper officers of the counties respectively, in the same manner, and according to the same rules and regulations, as are now prescribed by law for the election of members of the General Assembly. And it is hereby declared to be the duty of the Governor to issue his proclamation to the several sheriffs of the State, immediately after the passage of this act, requiring them to hold and conduct said election according to law; and the said sheriffs shall advertise the time and place of holding said election for as long a time as practicable, by publication in the several newspapers of their respective counties, and by posting notices at ten public places in each county.

SEC. 2. Each State Senatorial District, as now constituted by law, shall be entitled to elect three times as many delegates to said Convention as said district is now entitled to members in the State Senate.

SEC. 3. No person shall be a member of said Convention who shall not have attained to the age of twenty-four years, who shall not be a free white male citizen of the United States, who shall not have been a citizen of this State two years, and of the district which he represents one year next before his election.

SEC. 4. In all districts composed of two or more counties, the Clerks of all the counties shall transmit to the Clerk of the county first named by the law now forming said districts, on the day succeeding said election, or as soon as possible thereafter, a certificate under their hands of the number of votes given for each candidate in each respective county; and said returns shall be sent by special messengers, who shall receive the sum of five dollars a day for their service, to be paid out of the Treasury of the county from which said returns may be sent. The Clerk of the county to which returns shall be made, after examining the same, shall give to the persons showing the highest number of votes, according to the number of delegates to which each district is entitled, certificates of election under the seal of his office; and said clerks shall also certify said returns to the Secretary of State, as now provided by law in case of the election of Senators.

SEC. 5. The delegates elected under the provisions of this act shall assemble at Jefferson City, on Thursday, the 28th day of February, 1861, and organize themselves into a Convention, by the election of a President, and such other officers as they may deem necessary; and shall proceed to consider the then existing relations between the Government of the United States, the people and Governments of the different States, and the Government and people of the State of Missouri; and to adopt such measures for vindicating the sovereignty of the State and the protection of its institutions, as shall appear to them to be demanded.

Sec. 6. Said Convention shall adopt such rules and regulations for its government, and the proper transaction of business, as they shall think proper. They shall have the same privileges as the members of the General Assembly now have, by law; and the officers, members and assistants of said Convention shall receive the same compensation as is now allowed by law to the officers, members and assistants of the House of Representatives; and said compensation shall be allowed and paid them in the same manner.

Sec. 7. In cases of contested elections to said Convention, the contending candidates shall pursue the same course and be governed by the same rules, as are now prescribed by law in relation to contested elections for members of the General Assembly; and the Convention shall be the judge of all such contested elections for membership therein.

Sec. 8. In case of vacancy occurring in said Convention, by death, resignation, or otherwise, of any member, the same shall be filled in the same manner as now prescribed by law for filling vacancies in the State Senate.

Sec. 9. All persons qualified to vote for members of the General Assembly, under existing laws, shall be entitled to vote for delegates to said Convention.

Sec. 10. No act, ordinance, or resolution of said Convention shall be deemed to be valid to change or dissolve the political relations of this State to the Government of the United States, or any other State, until a majority or the qualified voters of this State, voting upon the question, shall ratify the same.

Sec. 11. The County Clerks of the several counties, immediately after the returns shall be made to his office, on said act or ordinance of said Convention, so submitted, shall certify the same to the office of the Secretary of State, when the Governor shall announce, by proclamation, the result of said election.

This act shall take effect and be in force from and after its passage.

Approved January 21, 1861.

I, B. F. Massey, Secretary of State, do hereby certify that the foregoing act, entitled "An act to provide for calling a State Convention," is a true and correct copy of the original roll of said law now on file in this office.

SEAL

In testimony whereof, I have hereunto set my hand, and affixed the seal of office. Done at the city of Jefferson, the 21st day of January, 1861.

B. F. MASSEY,
Secretary of State.

To the Sheriff of ——— County:

In conformity with the requirements of the foregoing law, I, C. F. Jackson, Governor of the State of Missouri, hereby direct and command that you cause the notice of the time and place of holding said election within and for the county, of which you are the Sheriff, to be given in accordance with the provisions of said law.

SEAL

In testimony whereof, I have hereto set my name, and caused to be affixed the Great Seal of the State of Missouri. Done at the City of Jefferson, this 21st day of January, A. D. 1861; of the Independence of the United States the eighty-fifth, and of the State of Missouri the fortieth.

By the Governor: C. F. JACKSON.
B. F. Massey, Secretary of State.

NAMES OF THE DELEGATES

OF THE

STATE CONVENTION OF MISSOURI,

WITH THE

NATIVITY, AGE, PROFESSION AND POST-OFFICE ADDRESS.

Names of Members.	Nativity	Age.	Profession.	Post office Address.
Sterling Price, *President.*	Virginia	51	Bank Commissioner	Brunswick, Chariton county.
Sam. A Lowe *Secretary.*	Maryland	41	Clerk of Courts	Georgetown, Pettis county.
R. A. Campbell *Ass't. Sec.*	Missouri	26	Lawyer	Bowling Green, Pike county.
C. P. Anderson, *D'r K'per.*	Tennessee	42	Editor	California.
B W. Grover, *Serg't-at-A.*	Ohio	49	Farmer	Warrensburg.
And. Monroe, *Chaplain.*	Virginia	68	Minister	Fayette.
Allen, J. S.	Tennesse	46	Merchant	Bethany, Harrison county.
Bartlett, Orson	Virginia	51	Merchant	Bloomfield, Stoddard county.
Bass, Eli E	Tennessee	54	Farmer	Ashland, Boone county.
Bast, George Y.	Kentucky	48	Farmer	Rhineland, Montgomery county.
Birch James H.	Virginia	57	Lawyer	Plattsburg, Clinton county.
Bogy, Joseph	Missouri	54	Farmer	St. Mary's Ld'g, Ste. Genevieve co.
Breckinridge, Sam M.	Kentucky	32	Judge Circuit Court,	St. Louis.
Broadhead, Jas O.	Virginia	41	Lawyer	St. Louis.
Bridge, Hudson E.	New Hampshire	50	Merchant	St. Louis.
Brown, R. A.	Tennessee	51	Farmer	Harrisonville, Cass county.
Bush, Isidor	Austria	39	Merchant	St. Louis.
Calhoun, Robert	Ireland	57	Farmer	Concord, Callaway county.
Cayce, Milton P.	Virginia	56	Merchant	Farmington, St. Francis county.
Chenault, Jno. R.	Kentucky	51	Judge Circuit Court,	Carthage, Jasper county.
Collier, Sam. C.	Missouri	35	Lawyer	Fredericktown, Madison county.
Comingo, A.	Kentucky	41	Lawyer	Independence.
Crawford, Robert W.	Virginia	49	Lawyer	Mt. Vernon, Lawrence county.
Doniphan A. W.	Kentucky	52	Lawyer	Liberty, Clay county.
Donnell, R. W.	North Carolina	42	Merchant & Banker,	St. Joseph.
Douglass, William	Virginia	32	Lawyer	Boonville, Cooper county.
Drake, Charles	Kentucky	32	Lawyer	California, Moniteau county.
Dunn, George W.	Kentucky	45	Judge Circuit Court	Richmond.
Eitzen, Chas. D.	Bremen	41	Merchant	Hermann.

Names of Members.	Nativity.	Age.	Profession.	Post office Address
Frayser, Robert B.	Virginia	55	Farmer	Naylor's Store, St. Charles county.
Flood, Joseph	Kentucky	48	Farmer	Fulton, Callaway county.
Foster, John D.	Kentucky	40	Lawyer	Kirksville, Adair county.
Gamble, Hamilton R.	Virginia	62	Lawyer	St. Louis.
Gantt, Thos. T.	District Columbia	46	Lawyer	St. Louis.
Givens N. F.	Kentucky	52	Lawyer	Waterloo, Clark county.
Gorin, Henry M.	Kentucky	48	Merchant	Memphis, Scotland county.
Gravely J. J.	Virginia	32	Farmer	Bear Creek, Cedar county.
Hall, Willard P.	Virginia	40	Lawyer	St. Joseph, Buchanan county.
Hall, William A.	Maine	45	Judge Circuit Court	Darksville, Randolph county.
Harbin, A. S.	North Carolina	60	Farmer	Washburne Prairie, Barry county
Hatcher, Robert A.	Virginia	42	Lawyer	New Madrid, New Madrid county.
Henderson, John B.	Virginia	34	Lawyer	Louisiana, Pike county.
Hendrick, Littleberry	Virginia	61	Lawyer	Springfield, Greene county.
Hill, V. B.	Kentucky	32	Lawyer	Waynesville, Pulaski county.
Hitchcock, Henry	Alabama	31	Lawyer	St. Louis.
Holmes, Robert	Pennsylvania	45	Lumber Dealer	St. Louis.
Holt, John	Kentucky	66	Farmer	Dent Court House, Dent county.
Hough, Harrison	Kentucky	49	Judge Circuit Court	Wolf Island, Miss. county
How, John	Pennsylvania	50	Tanner	St. Louis.
Howell, Wm. J.	Kentucky	47	Lawyer	Paris, Monroe county.
Hudgins, Prince L.	Kentucky	49	Lawyer	Savannah, Andrew county.
Irwin, Joseph M.	Virginia	42	Lawyer	Shelbyville, Shelby county.
Isbell, Z.	Virginia	48	Farmer	Linn, Osage county.
Jackson, Wm.	Tennessee	38	Farmer	Newtown, Putnam county.
Jamison, Robert W.	Kentucky	49	Farmer	Marshfield, Webster county.
Johnson, James W.	Virginia	49	Farmer	Bolivar.
Kidd, Christopher G.	Kentucky	40	Lawyer	Calhoun, Henry county.
Knott, J. Proc.	Kentucky	30	Lawyer	Jefferson City, Cole county.
Leper, Wm. T.	Tennessee	38	Farmer	Grenville, Wayne county.
Linton, M. L.	Kentucky	52	Physician	St. Louis.
Long, John F.	Missouri	44	Civil Engineer	St. Louis.
Marmaduke, Vincent	Missouri	28	Farmer	Marshall, Saline county.
Marvin, Asa C.	New Hampshire	46	Farmer	Clinton, Henry county.
Matson, James T.	Missouri	39	Physician	Saverton, Ralls county.
Maupin, A. W.	Missouri	33	Blacksmith	Union, Franklin county.
McClurg, J. W.	Missouri	43	Merchant	Linn Creek.
McCormack, Jas. R.	Missouri	36	Physician	Appleton, Perry county.
McDowell, Nelson	Illinois	59	Farmer	Greenfield, Dade county.
McFerran, James	Maryland	41	Judge Circuit Court	Gallatin, Daviess county.
Meyer, Ferdinand	Prussia	34	Leather Dealer	St. Louis.
Morrow, W. L.	Tennessee	43	Merchant	Buffalo, Dallas county.
Moss, James H.	Missouri	35	Lawyer	Liberty, Clay county.
Noell. James C.	Virginia	29	Lawyer	Greene P. O., Bollinger county.
Norton, E. H.	Kentucky	39	Lawyer	Platte City.
Orr, Sample	Tennessee	44	Lawyer	Springfield, Green county.
Phillips, John F.	Missouri	26	Lawyer	Georgetown, Pettis county.
Pipkin, Philip	Tennessee	46	Lawyer	Ironton, Iron county.
Pomeroy, William G.	New York	46	Lawyer	Steelville, Crawford county.
Rankin, Chas. G.	Missouri	53	Merchant	Peveley, Jefferson county.
Ray, Robert D.	Kentucky	44	Lawyer	Carrollton.
Redd, John T.	Kentucky	44	Lawyer	Palmyra, Marion county.
Ritchey, M. H.	Tennessee	49	Farmer	Newtonia, Newton county.

Names of Members.	Nativity.	Age.	Profession.	Post office Address.
Ross, James P.	Maryland	48	Lawyer	Versailles, Morgan county.
Rowland, Frederick	North Carolina	56	Farmer	Macon City.
Sawyer, Samuel L.	New Hampshire	46	Lawyer	Lexington, Lafayette county.
Sayre, E. K	New Jersey	51	Farmer	Monticello, Lewis county.
Scott, Thomas.	Kentucky	44	Farmer	Tuscumbia.
Shackelford, Thomas	Missouri	39	Lawyer	Glasgow, Howard county.
Shackelford, John H.	Kentucky	57	Farmer	Florissant, St. Louis county.
Sheeley, James K.	Kentucky	46	Judge Com Pleas Ct	Independence.
Smith, Jacob	Kentucky	44	Lawyer	Linneus, Linn county.
Smith, Sol.	New York	59	Lawyer	St. Louis.
Stewart, Robert M.	New York	43	Lawyer	St. Joseph, Buchanan county.
Tindall, Jacob T.	Kentucky	34	Lawyer	Trenton, Grundy county.
Turner, W. W	Illinois	24	Lawyer	Lebanon, Laclede county.
Waller, Joseph G.	Virginia	58	Farmer	Marthasville, Warren county.
Watkins, N. W.	Kentucky	—	Lawyer	Jackson, Cape Girardeau county.
Welch, Aikman	Missouri	33	Lawyer	Warrensburg, Johnson county.
Wilson, Robert	Virginia	58	Lawyer	St. Joseph.
Woodson, Warren	Virginia	64	Farmer	Columbia, Boone county.
Woolfolk, Alexander M.	Kentucky	25	Lawyer	Chilicothe, Livingston county.
Wright, Uriel	Virginia	55	Lawyer	St Louis.
Vanbuskirk, Ellzey	Ohio	39	Circuit Clerk	Oregon, Holt county.
Zimmerman, George W.	Virginia	67	Farmer	New Hope.

JOURNAL

OF THE

STATE CONVENTION,

Begun and held in the City of Jefferson, on Thursday, the 28th day of February, A. D. 1861.

In pursuance of the 5th section of an act of the General Assembly of the State of Missouri, entitled "An Act to provide for calling of a State Convention," approved January 21, 1861, the delegates to a Convention of the people of the State of Missouri, elected from the several Senatorial Districts of the State, as provided by said law, met at the Court House of Cole county, in the city of Jefferson, on Thursday the 28th day of February, A. D. 1861, that being the day fixed by law for that purpose.

On motion of Hon. Sample Orr, Hon. Hamilton R. Gamble, of the county of St. Louis, was called to the chair as President *pro tempore*.

On motion of Mr Wilson, of Andrew county, James L. Minor was requested to act as Secretary *pro tempore*.

On motion of Mr. Sheeley, the Rev. Andrew Monroe opened the Convention with prayer.

The roll of the Convention being called, the following gentlemen answered to their names:

From the First Senatorial District—Joseph G. Waller, of St. Charles county; George W. Zimmerman, of Pike; R. C. Calhoun, of Audrain.

From the Third Senatorial District—Warren Woodson, of Boone county; Eli E. Bass, of Boone; Joseph Flood, of Callaway.

From the Fifth Senatorial District—Henry M. Gorin, of Scotland county; E. R. Sayre, of Lewis; N. F. Givens, of Clark.

From the Sixth Senatorial District—Thomas Shackelford, of Howard county; Sterling Price, of Chariton; William A. Hall, of Randolph.

From the Seventh Senatorial District—Frederick Rowland, of Macon county; Joseph M. Irwin, of Shelby; John D. Foster, of Adair.

From the Eighth Senatorial District—A. M. Woolfolk, of Livingston county; Jacob Smith, of Linn; William Jackson, of Putnam.

From the Ninth Senatorial District—Jacob T. Tindal, of Grundy county; John S. Allen, of Harrison; James McFerran, of Daviess.

From the Tenth Senatorial District—Robert D. Ray, of Carroll county; James H. Birch, of Clinton; George W. Dunn, of Ray.

From the Eleventh Senatorial District—Robert Wilson, of Andrew county.

From the Twelfth Senatorial District.—Willard P. Hall, of Buchanan county.

From the Thirteenth Senatorial District—James H. Moss, of Clay county; Elijah D. Norton, of Platte.

From the Fourteenth Senatorial District—Robert A. Brown, of Cass county; James K. Sheeley, of Jackson; Abraham Comingo, of Jackson.

From the Fifteenth Senatorial District—Asa C. Marvin, of Henry county; Aikman Welch, of Johnson; Christopher G. Kidd, of Henry.

From the Sixteenth Senatorial District—J. F. Phillips, of Pettis county; Samuel L. Sawyer, of Lafayette; Vincent Marmaduke, of Saline.

From the Seventeenth Senatorial District—John R. Chenault, of Jasper county; Nelson McDowell, of Dade; J. J. Gravely, of Cedar.

From the Eighteenth Senatorial District—Robert W. Crawford, of Lawrence county; A. S. Harbin, of Barry.

From the Nineteenth Senatorial District—Sample Orr, of Greene county; Robert W. Jamison, of Webster; Littlebury Hendrick, of Greene.

From the Twentieth Senatorial District—W. W. Turner, of Laclede county; James W. Johnson, of Polk; William L. Morrow, of Dallas.

From the Twenty-First Senatorial District—Z. Isbell, of Osage county; Charles D. Eitzen, of Gasconade.

From the Twenty-Second Senatorial District—William G. Pomeroy, of Crawford county; John Holt, of Dent.

From the Twenty-Third Senatorial District—Joseph Bogy. of Ste. Genevieve county; Charles S. Rankin, of Jefferson; Milton P. Cayce, of St. Francois.

From the Twenty-Fifth Senatorial District—Robert A. Hatcher, of New Madrid county; Orson Bartlett, of Stoddard.

From the Twenty-Sixth Senatorial District—Nathaniel W. Watkins, of Cape Girardeau county; James R. McCormack, of Perry.

From the Twenty-Seventh Senatorial District—J. Proctor Knott, of Cole county; Thos. Scott, of Miller; J. W. McClurg, of Camden.

From the Twenty-Eighth Senatorial District—Charles Drake of Moniteau county; William Douglass, of Cooper; James P. Ross, of Morgan.

From the Twenty-Ninth Senatorial District—Sol. Smith, of St. Louis coty; John H. Shackelford, of St. Louis; M. L. Linton, of St. Louis; Henry Hitchcock, of St. Louis; John How, of St. Louis; James O. Broadhead, of St. Louis; Samuel M. Breckinridge, of St. Louis; Hudson E. Bridge, of St. Louis; Hamilton R. Gamble, of St. Louis; Robert Holmes, of St. Louis; Uriel Wright, of St. Louis; Isadore Bush, of St. Louis; Ferdinand Meyer, of St. Louis; John F. Long, of St. Louis.

In all seventy-nine.

On motion of Mr. Watkins, it was

Resolved, That the Chair appoint a committee of five to receive and examine the credentials of the members of the Convention, and that the committee be directed to report at ten o'clock on to-morrow morning.

Whereupon the Chair appointed on said committee Messrs. Watkins, Birch, Hall of Randolph, Linton and Orr.

On motion of Mr. Rowland, it was

Resolved, That a committee of seven be appointed to report what officers shall be necessary and requisite for the future action of the Convention;

Whereupon the Chair appointed on said committee Messrs. Rowland, Price, Welch, Hendrick, Hatcher, Broadhead and Wilson.

On motion of Mr. Holt, John E. Davis, of Crawford county, was requested to act as temporary doorkeeper.

On motion of Mr. Birch, the Convention adjourned to meet *in conclave* at ten o'clock to morrow morning.

SECOND DAY.

FRIDAY, MARCH 1, 1861.

The Convention met pursuant to adjournment, and was opened with prayer by the Rev. Andrew Monroe.

The journal was then read by the secretary.

The following named members of the Convention appeared and took their seats:

From the First Senatorial District—George Y. Bast, of Montgomery county; Robert B. Frayser, of St. Charles.

From the Second Senatorial District—John B. Henderson, of Pike county.

From the Fourth Senatorial District—William J. Howell, of Monroe county; John T. Redd, of Marion; James T. Matson, of Ralls.

From the Eleventh Senatorial District—Prince L. Hudgins, of Andrew county; Ellzay Vanbuskirk, of Holt.

From the Twelfth Senatorial District—Robt. M. Stewart, of Buchanan county; Robert W. Donnell, of Buchanan.

From the Twenty-First Senatorial District—Amos W. Maupin, of Franklin county.

From the Twenty-Fourth Senatorial District—Philip Pipkin, of Iron county; William T. Leeper, of Wayne; Samuel C. Collier, of Madison.

From the Twenty-Sixth Senatorial District—James C. Noell, of Bollinger county.

From the Eighteenth Senatorial District—Mathew H. Ritchey, of Newton county.

From the Twenth-Ninth Senatorial District—Thomas T. Gantt, of St. Louis county.

Mr. Watkins, from the Committee on Credentials, made the following report:

Mr. President:—The special committee of five, to whom was referred the subject of the credentials of the members of this body, have had the same under consideration, and instructed me to report, that from the certificates furnished them, and the official returns in the office of the Secretary of State, they find the following named persons duly elected:

From the First District—Joseph G. Waller, Robert B. Frayser, George Y. Bast.

From the Second District—George W. Zimmerman, R. C. Calhoun, John B. Henderson.

From the Third District—Warren Woodson, Eli E. Bass, Joseph Flood.

From the Fourth District—Wm. J. Howell James T. Matson, John T. Redd.

From the Fifth District—Henry M. Gorin, E. K. Sayre, N. F. Givens.

From the Sixth District—William A. Hall, Thomas Shackelford, Sterling Price:

From the Seventh District—Joseph M. Irwin, John D. Foster, Frederick Rowland.

From the Eighth District—A. M. Woolfolk, Jacob Smith, William Jackson.

From the Ninth District—Jacob T. Tindall, John S. Allen, James McFerran.

From the Tenth District—Robert D. Ray, James H. Birch, George W. Dunn.

From the Eleventh District—Robert Wilson, Ellzay Vanbuskirk, Prince L. Hudgins.

From the Twelfth District—Robert W. Donnell, Robert M. Stewart, Willard P. Hall.

From the Thirteenth District—Elijah D. Norton, James H. Moss.

From the Fourteenth District—Robert A. Brown, James K. Sheeley, Abraham Comingo.

From the Fifteenth District—Asa C. Marvin, Aikman Welch, Christopher G. Kidd.

From the Sixteenth District—John F. Phillips, Samuel L. Sawyer, Vincent Marmaduke

From the Seventeenth District—John R. Chenault, Nelson McDowell, J. J. Gravely.

From the Eighteenth District—Robert W. Crawford, A. S. Harbin, Mathew H. Ritchey.

From the Nineteenth District—Sample Orr, Robert W. Jamison, Littlebury Hendrick.

From the Twentieth District—W. W. Turner, James W. Johnson, William L. Morrow.

From the Twenty-First District—Z. Isbell, Amos W. Maupin, Charles D. Eitzen.

From the Twenty-Second District—William G. Pomeroy, John Holt, V. B. Hill.

From the Twenty-Third District—Joseph Bogy, Charles S. Rankin, Milton P. Cayce.

From the Twenty-Fourth District—Philip Pipkin, Samuel C. Collier, William T. Leeper.

From the Twenty-Fifth District—Robert A. Hatcher, Orson Bartlett, Harrison Hough.

From the Twenty-Sixth District—Nathaniel W. Watkins, James C. Noell, James R. McCormack.

From the Twenty-Seventh District—Thos. Scott, J. Proctor Knott, J. W. McClurg.

From the Twenty-Eighth District—Charles Drake, William Douglass, James P. Ross.

From the Twenty-Ninth District—Sol. Smith, John H. Shackelford, M. L. Linton, Henry Hitchcock, John How, James O. Broadhead, Samuel M. Breckinridge, Hudson E. Bridge, Hamilton R. Gamble, Robert Holmes, Uriel Wright, Isador Bush, Ferdinand Meyer, John F. Long, Thomas T. Gantt.

All of which is respectfully submitted.

N. W. WATKINS, Chairman.

On motion of Mr. Foster, the report of the committee was received and the committee discharged from the further consideration of the subject.

Mr. Rowland, from the select committee of seven to report officers and rules for the Convention, presented the following report:

Mr. President:—The committee which was appointed to report what officers may be necessary for the Convention, and also to report rules for the government, respectfully report:

That, in the opinion of the committee, the said officers should consist of a President, Vice President, Secretary, Assistant Secretary and Doorkeeper.

Your committee would further report, that they recommend the adoption of the rules adopted by a State Convention, which assembled in the city of Jefferson on the 17th day of November, 1845, and found on pages 11, 12, 13, 14 and 15 of the journal of said Convention, except rules numbered 41, 42 and 44, and the following words in rule No. 49, to wit: "And no member shall be allowed pay for any day that he shall be absent from the session of the Convention, unless he shall be prevented from attending by sickness."

Your committee would further recommend that one hundred and fifty copies of said rules be printed for the use of the Convention. Your Committee would further recommend the adoption of the following resolutions:

Resolved, That each delegate elected to this Convention, before entering upon the discharge of his duties, shall take an oath to support the Constitution of the United States, and of the State of Missouri, and faithfully demean himself in office.

Resolved, That each officer of this Convention, except the President and Vice President, before entering upon the discharge of the duties of his office, shall take an oath to support the Constitution of the United States and of this State, and faithfully demean himself in office. And that when the Convention shall be in secret session, he will not divulge or make public to any person, anything which may be said or done in said Convention. All of which is respectfully submitted.

F. ROWLAND, Chairman.

On motion of Mr. Welch, the report of the committee was adopted.

Mr. Pomeroy moved to reconsider the vote on the adoption of the resolutions contained in the report of the Committee of Seven, relative to the oaths of office.

Mr. Hall, of Buchanan, moved to lay the motion to reconsider, on the table.

Mr. Pomeroy having withdrawn his motion, Mr. Howell renewed it; pending which, Mr. Birch asked to have the order made by the Convention yesterday, to meet *in conclave*, executed by the President.

Mr. Sayre, of Lewis, moved to amend the Journal of yesterday, by striking out the words "to meet *in conclave*" in the resolution of adjournment, which was decided in the affirmative.

The Convention having resumed the consideration of the motion of Mr. Howell to reconsider the vote on the adoption of the report of the committee relative to the oaths of office, was laid upon the table, on the motion of Mr. Hall, of Buchanan, by the following vote, the ayes and noes having been demanded:

Ayes.—Messrs. Allen, Bass, Bogy, Breckinridge, Broadhead, Bridge, Bush, Calhoun, Cayce, Chenault, Donnell, Dunn, Eitzen, Flood, Foster, Gamble, Gantt, Gravely, Hall of Buchanan, Hall of Randolph, Harbin, Henderson, Hendrick, Hitchcock, Holmes, How, Irwin, Isbell, Jackson, Jamison, Johnson, Kidd, Leeper, Linton, Long, Marvin, Maupin, McClurg, McCormack, McDowell, Meyer, Morrow, Moss, Noell, Norton, Orr, Phillips, Price, Rankin, Ray, Ritchie, Rowland, Scott, Shackelford of St. Louis, Smith of Linn, Smith of St. Louis, Stewart, Tindall, Turner, Welch, Wilson, Woolfolk, Wright, Vanbuskirk, and Zimmerman—65.

Noes.—Messrs. Bartlett, Bast, Birch, Brown, Collier, Comingo, Crawford, Douglass, Drake, Frayser, Givens, Gorin, Hatcher, Holt, Howell, Hudgins, Knott, Marmaduke, Matson, Pipkin, Pomeroy, Redd, Ross, Sawyer, Sayre, Shackelford of Howard, Sheeley, Waller Watkins and Woodson—30.

All the delegates present, on motion, then came forward and the oath of office was administered to them by the Hon. George W. Miller, Judge of the first Judicial Circuit of the State.

The rules reported by the committee for the government of the Convention were adopted, and are as follows:

OF THE PRESIDENT.

First. He shall take the chair every day at the hour to which the Convention shall have adjourned, shall immediately call the members to order, and on the appearance of a quorum, shall cause the Journal of the preceeding day to be read.

Second. He shall preserve order and decorum; may speak to points of order in preference to the members, rising from his seat for that purpose; and shall decide all questions of order, subject to an appeal to the Convention, by any two members; on which appeal no member shall speak more than once, unless by leave of the Convention.

Third. He shall rise to put a question, but may state it sitting.

Fourth. When a question has been put, if the President doubts, or if a division be called for, the Convention shall divide; those in the affirmative shall arise from their seats, and afterwards those in the negative. The President shall then arise and state the decision of the Convention.

Fifth. All committees shall be appointed by the President, unless otherwise specially directed by the Convention, in which case they shall be appointed by an open vote of the Convention.

Sixth. The President shall examine and correct the Journal before it is read; he shall have a general superintendence of the Hall; he shall have the right to name any member to perform the duties of the Chair, but such substitution shall not extend beyond an adjournment.

Seventh. In case of any disturbance or disorderly conduct in the lobby he (or the Chairman of the committee of the Whole Convention,) shall have power to order the same to be cleared.

Eighth. No person shall be admitted within the bar but members and officers of the Convention, and such other persons as may be invited by a member of the Convention to a seat within the bar.

OF DECORUM AND DEBATE.

Ninth. When any member is about to speak in debate, or deliver any matter to the Convention, he shall rise from his seat and respectfully address himself to the President.

Tenth. If any member, in speaking or otherwise, shall transgress the rules of the Convention, the President shall, or any member may call to order; in which case the member so called to order shall immediately sit down, unless permitted to explain; and the Convention, if appealed to, shall decide on the case, but without debate; if there be no appeal, the decision of the Chair shall be submitted to. If the decision be in favor of the member called to order, he shall be at liberty to proceed; if otherwise, and the case require it, he shall be liable to the censure of the Convention.

Eleventh. When two or more members shall rise at once, the President shall name the person who is first to speak.

Twelfth. No member shall make use of any intemperate, personal, or improper language, nor commit any breach of order during the session of the Convention.

Thirteenth. No member shall speak more than twice on the same question without leave of the Convention; nor more than once, until every member choosing to speak shall have spoken.

Fourteenth. Whilst the President is putting any question, or addressing the Convention, no person shall walk out of, or across the Hall; nor in such case, or when a member is speaking, shall entertain private discourse; nor whilst a member is speaking, shall pass between him and the Chair.

Fifteenth. No member shall vote on any question in the event of which he is immediately and particularly interested, or in any other case when he was not present when the question was put, without leave of the Convention.

Sixteenth. Upon a division and count of the Convention on any question, no member without the bar shall be counted.

Seventeenth. Every member who shall be in the Convention when a question is put shall vote, unless the Convention, for special reasons, shall excuse him.

Eighteenth. All motions and propositions shall be in writing, and signed by the mover, except motions to adjourn, to refer, to postpone, to print, to lay on the table, or for the previous question, or leave of absence; and every member making a proposition shall in his place read it distinctly to the Convention.

Nineteenth. When a question is made and seconded, it shall be stated by the President, or being in writing, it shall be handed to the Secretary, and by him read aloud before debated.

Twentieth. After a motion is stated by the President, or read by the Secretary, it shall be deemed to be in possession of the Convention, but may be withdrawn at any time before a decision or amendment.

Twenty-First. When a question is under debate, no motion shall be received but to adjourn; to lay on the table; for the previous question; to postpone to a day certain; to commit or amend; to postpone indefinitely; which several motions shall have precedence in the order in which they are arranged; and no motion to postpone to a day certain, to commit, or postpone indefinitely, being decided, shall be allowed again on the same day, and at the same stage of the proposition,

Twenty-Second. A motion to adjourn shall always be in order, and shall be decided without debate.

Twenty-Third. All questions except those enumerated in rule 21st, shall be put in the order they are moved, except that in filling up blanks, the largest sum, and the longest time, shall be first put.

Twenty-Fourth. The previous question shall be in this form, "Shall the main question be now put?" It shall only be admitted when demanded by two-thirds of the members present; and until it is decided shall preclude all amendments and further debate of the main question, and must be decided without debate.

Twenty-Fifth. When the Convention adjourns, every member shall keep his seat until the President leaves his seat.

Twenty-Sixth. Any member may call for a division of the question when the sense will admit of it.

Twenty-Seventh. A motion for commitment till it is decided, shall preclude all amendments of the main question.

Twenty-Eighth. Motions, reports and other business may be committed at the pleasure of the Convention.

Twenty-Ninth. No new motion or proposition on a subject different from that under consideration, shall be admitted under color of amendment, or as a substitute for the motion or proposition under debate.

Thirtieth. When a motion or proposition has been once carried in the affirmative or negative, it shall be in order for any member of the prevailing party to move for the reconsideration thereof at any time within three sitting days after such decision; provided, that the proposition which may be adopted or rejected, shall always be subject to reconsideration after two days notice being given thereof.

Thirty-First. When the reading of a paper is called for, and the same is objected to by any member, it shall be determined by a vote of the Convention.

Thirty-Second. The unfinished business in which the Convention was engaged at the time of the last adjournment, shall have the preference in the orders of the day; and no motion, or any other business, shall be received without special leave of the Convention, until the former is disposed of; but any business that is made the order of a particular day, shall have the preference over other business on that day.

Thirty-Third. Any seven members shall be authorized to compel the attendance of absent members, when there is no quorum present.

Thirty-Fourth. Any two members shall have the right to call for the ayes and noes on any question.

Thirty-Fifth. No member shall absent himself from the Convention, unless he have leave, or be sick and unable to attend.

Thirty-Sixth. There shall be a committee of elections, whose duty it shall be to examine and report upon the credentials of the members returned to serve in this Convention.

Thirty-Seventh. No standing rule shall be rescinded or altered, without one day's notice being given of the motion therefor.

Thirty-Eighth. The Secretary of the Convention shall attend during its sessions; shall make out and keep its Journals; seasonably record all its proceedings; keep regular files of the papers; attest all process issued by the Convention, and execute the commands of the Convention.

Thirty-Ninth. The Secretary shall not suffer any records or papers to be taken out of his custody by any member or other person.

Fortieth. No standing rule or order of the Convention shall be suspended or dispensed with, without the concurrence of two-thirds ot the members present.

Forty-First. Every member addressing the Convention, shall confine himself strictly to the subject matter under debate.

Forty-Second. All select committees shall consist of three members, unless otherwise ordered.

Forty-Third. All committees shall be appointed by the President, unless otherwise ordered.

Forty-Fourth. —All questions relating to the priority of debate, shall be acted on without debate.

Forty-Fifth. No member or other person shall be permitted to smoke within the hall or lobby at any time whatever.

Forty-Sixth. A committee of three members shall be appointed by the President, who shall scrutinize and pass upon all accounts and keep in a book a correct statement thereof, and shall take the necessary steps to prevent the allowance of all improper and unjust claims.

Forty-Seventh. In all cases not provided for in these rules, the Parliamentary practice contained in Jefferson's Manual, shall govern the Convention.

On motion, the Convention adjourned until three o'clock P. M.

EVENING SESSION.

The Convention assembled pursuant to adjournment.

On motion, the Convention proceeded to the election of permanent officers of the Convention as prescribed by the resolution heretofore adopted; whereupon

Mr. **Broadhead** nominated for the office of President of the Convention, the Hon. **Sterling Price**, of Chariton county.

Mr. **Hatcher** nominated Hon. **Nathaniel W. Watkins**, of Cape Girardeau county. No other nominations having been made, and the roll of the Convention having been called there appeared for

Mr. Price,	75.
Mr. Watkins,	15.

The members proceeded to vote as follows:

For Mr. **Price**.—Messrs. Allen, Bass, Bast, Birch, Bogy, Breckinridge, Broadhead, Bridge, Brown, Bush, Calhoun, Chenault, Comingo, Crawford, Donnell, Douglass, Drake, Dunn, Eitzen, Frayser, Flood, Foster, Gamble, Gantt, Gravely, Hall of Buchanan, Hall of Randolph, Harbin, Henderson, Hendrick, Hitchcock, Holmes, How, Hudgins, Irwin, Isbell, Jackson, Johnson, Kidd, Knott, Linton, Long, Marmaduke, Marvin, Matson, Maupin, McClurg, McCormack, McDowell, Meyer, Morrow, Moss, Norton, Orr, Phillips, Pomeroy, Ray Redd, Ross, Rowland, Sawyer, Scott, Shackelford of Howard, Shackelford of St. Louis, Sheeley, Smith of St Louis, Stewart, Tindall, Turner, Waller, Watkins, Woolfolk, Wright, Vanbuskirk and Zimmerman—75.

For Mr. **Watkins**: Messrs. Bartlett, Cayce, Collier, Givens, Gorin, Hatcher, Holt, Howell, Leeper, Noell, Pipkin, Price, Rankin, Sayre and Woodson—15.

Mr. **Price**, having received a majority of all the votes cast, was declared duly elected President of the Convention.

On motion of Mr. **Hall**, of Buchanan, the President appointed a committee of three, consisting of Messrs. Hall of Buchanan, Broadhead and Chenault, to wait upon Mr. Price and inform him of his election.

The committee proceeded to discharge that duty, when Mr. Price came forward and the oath of office was administered to him by the Hon. George W. Miller.

Whereupon, having thanked the Convention, in a short speech, he entered upon the discharge of his official duties.

Nominations for Vice President being in order, Mr. **Brown** nominated Hon. Robert Wilson, of Andrew county.

There being no other nominations, Mr. **Hall** moved that Mr. Wilson be declared unanimously elected Vice President of the Convention, which motion was carried, and Mr. Wilson came forward and took the oath of office.

Nominations for Secretary being in order, Mr. **Hall**, of Buchanan, nominated Jeff. Thompson, of Buchanan county.

Mr. **Gamble** nominated Robert J. Lackey, of Cole county.

Mr. **Sawyer** nominated Samuel A. Lowe, of Pettis county.

Mr. **Welch** nominated Benjamin W. Grover, of Johnson county.

Mr. KNOTT nominated Mr. J. C. Fox.

Mr. ROWLAND nominated Mr. R. Cullen, of St. Louis county.

No other nominations being made, and the roll having been called, there appeared

For Mr. Cullen—16.
" " Thompson—12.
" " Lackey—22.
" " Lowe—26.
" " Grover—13.
" " Fox—5.

No person having received a majority of all the votes cast, the Convention proceeded to a second ballot, when, the roll having been called, there appeared

For Mr. Cullen—15.
" " Thompson—11.
" " Lackey—27.
" " Lowe—27.
" " Grover—11.
" " Fox—3.

The members present voted as follows:

For Mr. CULLEN: Messrs. Bartlett, Bast, Birch, Cayce, Frayser, Foster, Hatcher, Linton, Pipkin, Rowland, Smith of Linn, Tindall, Watkins, Woolfolk and Wright—15.

For Mr. THOMPSON: Messrs. Chenault, Crawford, Donnell, Hall of Buchanan, Hall of Randolph, Hudgins, Matson, Norton, Stewart, Wilson and Vanbuskirk—11.

For Mr. LACKEY: Messrs. Bass, Breckinridge, Broadhead, Bridge, Bush, Dunn, Eitzen, Flood, Gamble, Gantt, Hitchcock, Holmes, How, Johnson, Leeper, Long, Maupin, McClurg, McCormack, Mayer, Moss, Rankin, Ray, Shackelford of St. Louis, Smith of St. Louis, Turner and Mr. President—27.

For Mr. LOWE: Messrs. Allen, Bogy, Collier, Douglass, Drake, Givens, Gorin, Gravely, Harbin, Hendrick, Holt, Howell, Isbell, Jamison, Kidd, Marmaduke, McDowell, Morrow, Orr, Phillips, Pomeroy, Redd, Ritchey, Sawyer, Sayre, Scott and Woodson.—27.

For Mr. GROVER: Messrs. Brown, Calhoun, Irwin, Jackson, Marvin, Ross, Shackelford of Howard, Sheeley, Waller, Welch and Zimmerman—11.

For Mr. FOX: Messrs. Henderson, Knott, and Noell—3.

Sick—Mr. McFerran.

No Candidate having received a majority of all the votes cast, the Convention was proceeding to a third ballot, when

Mr. KNOTT withdrew the name of Mr. Fox, and Mr. HALL, of Buchanan, withdrew the name of Mr. Thompson.

The names having been called there appeared:

For Mr. CULLEN: Messrs. Bartlett, Bast, Cayce Collier, Donnell. Frayser, Hatcher, Hudgins, Irwin, Leeper, Linton, Pipkin, Rowland, Smith of Linn, Stewart and Woolfolk—16.

For Mr. LACKEY: Messrs. Birch, Breckinridge, Broadhead, Bridge, Brown, Bush, Dunn, Eitzen, Gamble, Gantt, Hall of Buchanan, Hall of Randolph, Henderson, Hitchcock, Holmes, How, Johnson, Knott, Long, Maupin, McClurg, McCormack, Meyer, Moss, Norton, Rankin, Ray, Shackelford of St. Louis, Smith of St. Louis, Tindall, Turner, Wright, Vanbuskirk and Mr. President—34.

For Mr. LOWE: Messrs. Allen, Bass, Bogy; Chenault, Comingo, Crawford, Douglass, Drake, Flood, Foster, Givens, Gorin, Gravely, Harbin, Hendrick, Holt, Howell, Isbell, Kidd, Marmaduke, Matson, McDowell, Morrow, Noell, Orr, Phillips, Pomeroy, Redd, Ritchey, Sawyer, Sayre, Scott, Sheeley, Watkins, and Woodson—35.

For Mr. GROVER: Messrs. Calhoun, Jackson, Jamison, Marvin, Ross, Shackelford o Howard, Waller, Welch, Wilson and Zimmerman—10.

No candidates having received a majority of all the vates cast the Convention proceeded to the fourth ballot, when

Mr. ROWLAND withdrew the name of Mr. Cullen.

Mr. WELCH withdrew the name of Mr. Grover.

The roll having been called there appeared:

For Mr. Lackey—44,

For Mr. Lowe—51.

The members present voted as follows:

For Mr. LACKEY: Messrs. Birch, Breckinridge, Broadhead, Bridge, Brown, Bush, Donnell, Dunn, Eitzen, Foster, Gamble, Gantt, Hall of Buchanan, Hall of Randolph, Henderson, Hitchcock, Holmes, How, Hudgins, Irwin, Jackson, Johnson, Knott, Linton, Long, Maupin, McClurg, Meyer, Moss, Norton Rankin, Ray, Shackelford of Howard, Shackelford of St. Louis, Smith of Linn, Smith of St. Louis, Stewart, Tindall, Turner, Wilson, Woolfolk, Wright, Vanbuskirk and Mr. President—44.

For Mr. LOWE: Messrs. Allen, Bartlett, Bass, Bast, Bogy, Calhoun, Cayce, Chenault, Collier, Comingo, Crawford, Douglass, Drake, Frayser, Flood, Givens, Gorin, Gravely, Harbin, Hatcher, Hendrick, Holt, Howell, Isbell, Jamison, Kidd, Leeper, Marmaduke, Marvin, Matson, McCormack, McDowell, Morrow, Noell, Orr, Phillips, Pipkin, Pomeroy, Redd, Ritchey, Ross, Rowland, Sawyer, Sayre, Scott, Sheeley, Waller, Watkins, Welch, Woodson and Zimmerman—51.

Mr. LOWE, having received a majority of all the votes cast, was declared duly elected Secretary of this Convention, and came forward; was sworn in by Hon. George W. Miller, and entered upon the discharge of his officia duties.

Nominations for Assistant Secretary being next in order:

Mr. Knott nominated James E. McHenry.

Mr. Orr nominated L. D. Shellady.

Mr. Irwin nominated A. L. Gilstrap.

Mr. Henderson nominated Robert A. Campbell.

Mr. Douglas nominated John T. Bankhead.

Mr. Holt nominated Lyle Singleton.

Mr. Long nominated David R. Risley.

Mr. Chenault nominated Richard Kerr.

No other nominations having been made the roll was called when there appeared:

For Mr. McHenry—13 votes.
" " Shellady—12 votes.
" " Gilstrap—24 votes.
" " Campbell—28 votes.
" " Bankhead—6 votes.
" " Singleton—2 votes.
" " Risley—1 vote.
" " Kerr—8 votes.

The members present voted as follows:

For Mr. McHenry: Messrs. Bass, Birch, Flood, Hendrick, Hudgins, Kidd, Knott, Marvin, Maupin, Ray, Shackelford of Howard, Stewart and Mr. President—13.

For Mr. Shellady: Messrs. Bartlett, Hatcher, Jamison, Johnson, Leeper, McClurg, Morrow, Noell, Orr, Ross, Scott and Turner–12.

For Mr. Gilstrap: Messrs. Allen, Brown, Comingo, Donnell, Dunn, Foster, Givens, Gorin, Hall of Buchanan, Hall of Randolph, Irwin, Jackson, McCormack, Meyer, Moss, Norton, Rowland, Sayre, Smith of Linn, Smith of St. Louis, Tindall, Wilson, Woolfolk and Vanbuskirk—24.

For Mr. Campbell: Messrs. Bogy, Breckinridge, Broadhead, Bridge, Bush, Calhoun, Cayce, Collier, Eitzen, Frayser, Gantt, Henderson, Hitchcock Holmes, How, Howell, Isbell, Linton, Matson, Rankin, Redd, Shackelford of St. Louis, Sheeley, Waller, Watkins, Welch, Woodson and Zimmerman—28.

For Mr. Bankhead: Messrs. Douglass, Drake, Marmaduke, Phillips, Sawyer and Wright—6.

For Mr. Singleton: Messrs. Holt and Pomeroy—2.

For Mr. Kerr: Messrs. Bast, Chenault, Crawford, Gravely, Harbin, McDowell, Pipkin and Ross—8.

For Mr. Risley: Mr. Long.

No Candidate having received a majority of all the votes cast the Convention proceeded to the second ballot, when

Mr. Douglas withdrew the name of Mr. Bankhead, and Mr. Holt withdrew the name of Mr. Singleton.

The roll having been called there appeared:

For Mr. McHenry—14.
" " Shellady—9.
" " Gilstrap—33.
" " Campbell—33.
For Mr. Risley—2.
" " Kerr—4.

All the members present voted as follows:

For Mr. McHenry: Messrs. Bass, Bast, Hendrick, Holt, Kidd, Knott, Marmaduke, Marvin, Maupin, Phillips, Pomeroy, Sawyer, Shackelford of Howard, and Mr. President–14.

For Mr. Shellady: Messrs. Jamison, Johnson, Leeper, McClurg, Morrow, Orr, Ross, Scott and Turner—9.

For Mr. Gilstrap: Messrs. Allen, Bartlett Birch, Brown, Comingo, Donnell, Dunn, Foster, Gamble, Givens, Gorin, Hall of Buchanan, Hall of Randolph, Harbin, Hatcher, Hudgins, Irwin, Jackson, McCormack, Mayer, Moss, Noell, Norton, Pipkin, Ray, Ritchie, Rowland, Sayre, Smith of Linn, Tindall, Wilson, Woolfolk and Vanbuskirk—33.

For Mr. Campbell: Messrs. Bogy, Breckinridge, Broadhead, Bridge, Bush, Calhoun, Cayce, Collier, Drake, Eitzen, Frayser, Flood, Gantt, Henderson, Hitchcock, Holmes, How, Howell, Isbell, Linton, Matson, Rankin, Redd, Shackelford of St. Louis, Sheeley, Smith of St. Louis, Stewart, Waller, Watkins, Welch, Woodson, Wright and Zimmerman—33.

For Mr. Risley: Messrs. Long and Douglass—2.

For Mr. Kerr: Messrs. Chenault, Crawford, Gravely and McDowell—4.

Sick—Mr. McFerran

No candidate having received a majority of all the votes cast, the Convention proceeded to a third ballot, when

Mr. Long withdrew the name of Mr. Risley, and Mr. Chenault withdrew the name of Mr. Kerr.

The roll having been called there appeared:

For Mr. McHenry—9.
" " Shellady—9.
" " Campbell—42.
" " Gilstrap—33.

All the members present voted as follows.

For Mr. McHenry: Messrs. Bass, Bast, Hendrick, Holt, Kidd, Knott, Pomeroy, Shackelford of Howard and Mr. President—9.

For Mr, Shellady: Messrs. Jamison, Johnson, Leeper, McClurg, Morrow, Orr, Ross, Scott and Turner—9.

For Mr. Gilstrap: Messrs. Allen, Bartlett, Brown, Birch, Chenault, Comingo, Crawford, Donnell, Dunn, Foster, Givens, Gorin, Gravely, Hall of Buchanan, Hall of Randolph, Harbin, Irwin, Jackson, Marvin, McDowell, Moss, Noell, Norton, Pipkin, Ray, Ritchey, Rowland, Sayre, Smith of Linn, Tindall, Wilson, Woolfolk and Vanbuskirk—33.

For Mr. Campbell: Messrs. Bogy, Breckinridge, Broadhead, Bridge, Bush, Calhoun, Cayce, Collier, Douglass, Drake, Eitzen, Frayser, Flood, Gantt, Hatcher, Henderson, Hitchcock, Holmes, How, Howell, Isbell, Linton, Long, Marmaduke, Matson, Maupin, McCormack, Meyer, Philips, Rankin, Redd, Sawyer, Shackelford of St. Louis, Sheeley, Smith of

St. Louis, Stewart, Waller, Watkins, Welch, Woodson, Wright and Zimmerman—42.

Sick—Mr. McFerran.

No Candidate having received a majority of all the votes cast the Convention proceeded to the fourth ballot.

Mr. KNOTT withdrew the name of Mr. McHenry, and Mr. ORR withdrew the name of Mr. Shellady.

The roll having been called there appeared:

For Mr. Campbell—58.
" " Gilstrap—35.

All of the members present voted as follows:

For Mr. GILSTRAP: Messrs. Allen, Bast, Birch, Brown, Chenault, Comingo, Crawford, Donnell, Dunn, Foster, Givens, Gorin, Gravely, Hall of Buchanan, Hall of Randolph, Harbin, Hendrick, Irwin, Jackson, Knott, Marvin, McDowell, Moss, Norton, Pipkin, Ray, Ritchey, Rowland, Sayre, Shackelford of Howard, Smith, Tindall, Wilson, Woolfolk and Vanbuskirk—35.

For Mr. CAMPBELL: Messrs. Bartlett, Bass, Bogy, Breckinridge, Broadhead, Bridge, Bush, Calhoun, Cayce, Collier, Douglass, Drake, Eitzen, Frayser, Flood, Gantt, Hatcher, Henderson, Hitchcock, Holmes, Holt, How, Howell, Isbell, Jamison, Johnson, Kidd, Leeper, Linton, Long, Marmaduke, Matson, Maupin, McClurg, McCormack, Meyer, Morrow, Noell, Orr, Phillips, Pomeroy, Rankin, Redd, Ross, Sawyer, Scott, Shackelford of St. Louis, Sheeley, Smith of St. Louis, Stewart, Turner, Waller, Watkins, Welch, Woodson, Wright, Zimmerman and Mr. President—58.

Absent—Messrs. Gamble and Hudgins.

Sick—Mr. McFerran.

Mr. CAMPBELL having received a majority of all the votes cast was declared duly elected Assistant Secretary of the Convention. He then came forward and received the oath of office, administered by the Hon. G. W. Miller, and entered upon the discharge of his duties.

Nominations for Doorkeeper being in order:

Mr. BROWN nominated C. B. Anderson.
" POMEROY " John E. Davis.
" HARBIN " Andrew J. Russell.
" FLOOD " Thomas J. Ferguson.
" BARTLETT " John J. Jackson.
" STEWART " Wm. Vanover.
" WRIGHT " McDaniel Dorris.

The roll having been called there appeared:

For Mr. Dorris—8.
" " Russell—11.
" " Anderson—28.
" " Davis—10.
" " Ferguson—12.
" " Jackson—8.
" " Vanover—16.

All the members present voted as follows:

For Mr. DAVIS: Messrs. Allen, Cayce, Givens, Holt, Maupin, McClurg, Meyer, Pomeroy, Rankin and Sayre—10.

For Mr. DORRIS: Messrs. Hall of Buchanan, Hall of Randolph, Hitchcock, Knott, Long, Norton, Ray and Wright—8.

For Mr. RUSSELL: Messrs. Bast, Calhoun, Chenault, Crawford, Donnell, Harbin, McDowell, Redd, Ritchey, Zimmerman and Mr. President—11.

For Mr. ANDERSON: Messrs. Birch, Brown, Comingo, Douglass, Drake, Gravely, Henderson, Hendrick, Jackson, Jamison, Johnson, Kidd, Marmaduke, Marvin, Morrow, Moss, Orr, Phillips, Ross, Sawyer, Scott, Shackelford of Howard, Shackelford of St. Louis, Tindall, Turner, Waller, Welch and Woolfolk—28.

For Mr. FERGUSON: Messrs. Bass, Breckinridge, Broadhead, Bridge, Eitzen, Flood, Gantt, How, Howell, Isbell, Sheeley and Woodson—12.

For Mr. JACKSON: Messrs. Bartlett, Bogy, Collier, Hatcher, Leeper, Matson, Noell and Pipkin—8.

For Mr. VANOVER: Messrs. Bush, Dunn, Frayser, Foster, Gorin, Holmes, Hudgins, Irwin, McCormack, Rowland, Smith of Linn, Smith of St. Louis, Stewart, Watkins, Wilson, and Vanbuskirk—16.

No candidate having received a majority of all the votes cast the Convention proceeded to a second ballot,

When there appeared:

For Mr. Dorris—2.
" " Russell—6.
" " Anderson—52.
" " Davis—6.
" " Ferguson—5.
" " Jackson—9.
" " Vanover—12.

All the members present voting as follows:

For Mr. DORRIS: Messrs. Long and Wright—2.

For Mr. RUSSELL: Messrs. Chenault, Crawford, Harbin, Hitchcock, McDowell and Ritchey—6.

For Mr. ANDERSON: Messrs. Birch, Breckinridge, Bridge, Brown, Bush, Calhoun, Comingo, Donnell, Douglass, Drake, Eitzen, Frayser Gantt, Gravely, Hall of Buchanan, Henderson, Hendrick, How, Howell, Isbell, Jackson, Jamison, Johnson, Kidd, Knott, Linton, Marmaduke, Marvin, Matson, Maupin, McCormack, Morrow, Moss, Norton, Philips, Ray, Redd, Ross, Sawyer, Sayre, Scott, Shackelford of Howard, Shackelford of St. Louis, Smith of St. Louis, Tindall, Turner, Waller, Welch, Woolfolk, Zimmerman and Mr. President—52.

For Mr. DAVIS: Messrs. Givens, Holt, McClurg, Meyer, Pomeroy and Rankin—6.

For Mr. FERGUSON: Messrs. Bass, Bast, Flood, Sheeley and Woodson—5.

For Mr. Jackson: Messrs. Jackson, Bartlett, Bogy, Collier, Hatcher, Leeper, Noell, Orr, Pipkin and Watkins—9.

For Mr. Vanover: Messrs. Bartlett, Dunn, Foster, Gorin, Holmes, Hudgins, Irwin, Rowland, Smith of Linn, Stewart, Wilson and Vanbuskirk—12.

Mr. Anderson having received a majority of all the votes cast, was declared duly elected Doorkeeper of the Convention. He came forward, was sworn, and entered upon the discharge of the duties of his office.

Mr. Hall, of Randolph, offered the following resolution:

Resolved, That when this Convention adjourns to-day, it will adjourn to meet at the Mercantile Library Hall, in the city of St. Louis, on Monday next, at 10 o'clock, A. M.

Mr. Harbin moved to lay the resolution upon the table, which motion was decided in the negative by the following vote, the ayes and noes having been demanded:

Ayes—Messrs. Bass, Bast, Bogy, Calhoun, Cayce, Chenault, Crawford, Douglass, Drake, Frayser, Flood, Foster, Givens, Gorin, Gravely, Harbin, Hendrick, Jackson, Jamison, Johnson, Knott, McClurg, McDowell, Morrow, Orr, Rankin, Ray, Ritchey, Ross, Sayre, Scott, Shackelford of Howard, Stewart, Waller, Welch, Wilson, Woodson and Zimmerman—38.

Noes—Messrs. Allen, Bartlett, Breckinridge, Broadhead, Bridge, Brown, Bush, Collier, Comingo, Donnell, Dunn, Eitzen, Gantt, Hall of Buchanan, Hall of Randolph, Hatcher, Henderson, Hitchcock, Holmes, Holt, How, Howell, Hudgins, Irwin, Isbell, Kidd, Leeper, Linton, Long, Marmaduke, Marvin, Matson, Maupin, McCormack, Meyer, Moss, Noell, Norton, Phillips, Pipkin, Pomeroy, Redd, Rowland, Sawyer, Shackelford of St. Louis, Sheeley, Smith of Linn, Smith of St. Louis, Tindall, Turner, Watkins, Woolfolk, Wright, Vanbuskirk and Mr. President—55.

Absent—Messrs. Birch and Gamble.

Sick—Mr. McFerran.

Mr. Knott moved a postponement of the further consideration of the resolution until Monday next, which motion was decided in the negative.

The resolution was then adopted.

The President of the Convention laid before the Convention a communication from Luther J. Glenn, enclosing his commission as a Commissioner from the State of Georgia to the Convention or Legislature of the State of Missouri.

On motion of Mr. Hall, of Buchanan, the communication was laid upon the table and ordered to be printed.

Mr. Wilson offered the following, which was adopted:

Resolved, That the Rev. Andrew Monroe be requested to act as Chaplain to this Convention.

Mr. Wilson offered the following resolution, which was passed over informally:

Resolved, That a committee of three be appointed to contract with two persons duly qualified to report the debates and proceedings of this Convention.

Mr. Birch offered the following resolution, which was adopted:

Resolved, That the thanks of this Convention are due to Gen. James L. Minor, for his courteous compliance with its request to act as its Secretary during its organization, and for the prompt and able manner in which he discharged that duty.

On motion of Mr. Hall, of Buchanan, the Convention adjourned.

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THIRD DAY,

MONDAY, MARCH 4, 1861.

The Convention assembled in the Mercantile Library Hall, in the city of St. Louis, pursuant to the resolution of adjournment adopted on Friday last, and was opened with prayer by the Chaplain of the Convention, the Rev. Andrew Monroe.

The Journal was read by the Secretary and approved.

The President laid before the Convention the following communication, which was received:

St. Louis, March 4, 1861.

To the Convention of the State of Missouri:

Gentlemen: I have the honor to inform you that I am authorized by the Board of Directors of the Law Library Association of St. Louis, to tender to the officers and members of your body free access to the library of the Association during the sittings of the Convention. The regulations of the Association (which the Board have no power to dispense with,) do not allow the books to be taken out of the Court

House, but so far as the use of the same in the library is concerned, every facility and convenience in the power of the Board will be cheerfully afforded The library room, which is in the second story of the south wing of the Court House, is kept open during the day and until 10 o'clock at night.

I have the honor to be,
Very respectfully, your ob't serv't,
CHAS. D. DRAKE, Pres't.

Also the following communication, which was also received and read:

St. Louis Mercantile Library,
March 4, 1861.

To the Hon. Sterling Price,
President of the General Convention of the State of Missouri:

Sir: I am instructed by the Board of Directors of this institution to offer, through you, to the members of the honorable body over which you preside, the privilege of our library and reading room, a duty which I perform with the greatest pleasure.

I have the honor to be
Your very ob't serv't,
ALFRED CARR,
Pres. St. Louis Mer. Lib. Association.

Alexander W. Doniphan, member elect from the Thirteenth Senatorial District, and James McFerran, member elect from the Ninth Senatorial District, as delegates to this Convention, came forward and were sworn in as members by Hon. Samuel M. Breckinridge, Judge of the St. Louis Circuit Court.

Mr. Gamble offered the following resolutions:

Resolved, That a committee of seven be appointed, to be called the Committee on Federal Relations, which shall consider and report on the relations now existing between the Government of the United States, the Government and people of the different States, and the Government and people of this State.

Resolved, That all propositions or resolutions that may be moved by any member of the Convention, touching the relations of Missouri with the Federal Government, shall be referred to the Committee on Federal Relations.

Mr. Birch offered the following as a substitute for the resolutions offered by Mr. Gamble:

Ordered, that a committee be appointed to take into consideration the relations between the Government of the United States, the people and Government of the different States, and the Government and people of the State of Missouri, and to report to this Convention such an exposition and address as shall probably denote the views and opinions of those who look to the amicable restoration of the Federal Union upon such adjustment of the past, and such guaranties for the future, as shall render it fraternal, permanent, and enduring.

Mr. Knott offered the following, as an amendment to the substitute:

Amend by adding "and all propositions and resolutions *involving the relations of this* State to the General Government, and the other States of the Confederacy, shall be referred to said committee."

The question being upon the adoption of the amendment to the substitute, it was decided in the negative.

The question recurring upon the adoption of the substitute, it was also decided in the negative.

Mr. Gantt then offered the following amendment to the original resolutions:

Amend by inserting "thirteen" in place of "seven."

Mr. Ritchey offered the following amendment to the amendment, as follows:

Amend by striking out "thirteen," and inserting "one, to be chosen from each Senatorial district, to be agreed on by the delegation from said district." Which amendment was rejected.

The original amendment was then adopted, and the question recurring upon the passage of the resolutions, as amended, it was decided in the affirmative.

Mr. Dunn offered the following resolution, which was adopted:

Resolved, That William M. Burris be, and he is hereby appointed page of this Convention.

Mr. Long offered the following, which was adopted:

Resolved, That the vacant seats inside the bar be tendered to the use of the ladies who may be pleased to attend the session of this Convention.

Mr. Pomeroy offered the following:

Resolved, That a committee of three be appointed to wait upon the Hon. Luther J. Glenn, Commissioner from the State of Georgia, and to invite him to occupy a seat within the bar, and also to request him to signify at what time it will suit his convenience to communicate his message to the Convention.

Mr. Wright offered the following substitute for the resolution:

Resolved, That a committee of three be appointed by the Chair, to take into consideration the communication received from the Hon. Luther J. Glenn, Commissioner from our sister State of Georgia, and to report to this body what action shall be taken thereon.

Mr. Redd offered the following, as an amendment to the substitute:

Resolved, That a committee be appointed to wait upon the Commissioner accredited to this State, by the State of Georgia, and to inform him that this Convention will receive him at 12 o'clock, this day, and hear what he may choose to communicate upon the subject of his mission.

Mr. Hall, of Buchanan, moved the previous question, which motion was sustained. The question being, "Shall the main question be now put?" it was decided in the affirmative.

The question being the adoption of the amendment to the substitute, it was adopted by the following vote, the ayes and noes being demanded by Mr. Doniphan:

Ayes—Messrs. Allen, Bartlett, Bass, Bast, Birch, Brown, Calhoun, Cayce, Chenault, Collier, Comingo, Crawford, Doniphan, Donnell, Douglass, Drake, Dunn, Frayser, Flood, Gamble, Givens, Gorin, Gravely, Hall of Buchanan, Harbin, Hatcher, Holt, Howell, Hudgins, Kidd, Knott, Marmaduke, Marvin, Matson, McCormack, McDowell, McFerran, Moss, Noel, Norton, Phillips, Pipkin, Rankin, Ray, Redd, Ritchey, Ross, Sawyer, Sayre, Shackelford of Howard, Sheeley, Stuart, Tindall, Waller, Watkins, Welch, Wilson, Woodson, Woolfolk, Vanbuskirk, Zimmerman and Mr. President—62

Noes—Messrs. Bogy, Breckinridge, Broadhead, Bridge, Bush, Eitzen, Foster, Gantt, Hall of Randolph, Henderson, Hendrick, Hitchcock, Holmes, How, Irwin, Isbell, Jackson, Jamison, Johnson, Leeper, Linton, Long, Maupin, McClurg, Meyer, Morrow, Orr, Pomeroy, Rowland, Scott, Shackelford of St. Louis, Smith of Linn, Smith of St. Louis, Turner and Wright—35.

The President appointed upon said committee, Messrs. Pomeroy, Wright and Pipkin, who conducted Mr. Glenn inside of the bar; he was there introduced to the Convention by the President, and addressed them upon the subject of his mission.

On motion, the resolution for the appointment of two reporters, introduced by Mr. Wilson, on Friday, was taken up and adopted.

The President appointed upon said committee, Messrs. Wilson, Birch and Hall of Randolph.

Mr. Foster offered the following:

Resolved, That W. D. Bartlett be, and he is hereby, declared to be the sergeant-at-arms for this Convention.

Mr. Sheeley offered the following as a substitute, which was adopted:

Resolved, That this Convention will proceed to elect a sergeant-at-arms for the Convention.

Nominations then being declared in order,

Mr. Foster nominated L. D. Bartlett, of Macon county.

Mr. Collier nominated John Stove, of St. Louis county.

Mr. Flood nominated Dr. Martin, of Callaway county.

Mr. Long nominated Calvin Parrish, of St. Louis county.

Mr. Brown nominated B. W. Grover, of Johnson county.

There being no other nomination, the Secretary proceeded to call the roll, when there appeared:

For Mr. Stove—1.
" " Bartlett—37.
" " Martin—14.
" " Parrish—2.
" " Grover—38.

All the members present, voted as follows:

For Mr. Bartlett—Messrs. Bartlett, Birch, Bogy, Bush, Cayce, Foster, Gamble, Givens, Gorin, Gravely, Hall of Randolph, Harbin, Hatcher, Hendrick, Hitchcock, Holmes, Irwin, Isbell, Jackson, Johnson, Knott, Leeper, McClurg, McCormack, Morrow, Noell, Rankin, Redd, Rowland, Sawyer, Scott, Smith of Linn, Stewart, Watkins, Woolfolk, and Mr. President—37.

For Mr. Stove—Mr. Collier—1.

For Mr. Martin—Messrs. Allen, Bass, Breckinridge, Broadhead, Bridge, Calhoun, Chenault, Crawford, Eitzen, Flood, Henderson, How, Linton, McFerran and Woodson—14.

For Mr. Parrish—Messrs. Gantt and Long—2.

For Mr. Grover—Messrs. Bast, Brown, Comingo, Doniphan, Donnell, Douglass, Drake, Dunn, Frayser, Hall of Buchanan, Holt, Howell, Hudgins, Jamison, Kidd, Marmaduke, Marvin, Matson, Maupin, McDowell, Meyer, Moss, Norton, Orr, Phillips, Ray, Ritchey, Ross, Sawyer, Shackelford of Howard, Shackelford of St. Louis, Sheeley, Smith of St. Louis, Tindall, Waller, Welch, Vanbuskirk and Zimmerman—38.

No candidate having received a majority of all the votes cast, the Convention proceeded to a second ballot, when Mr. Holmes withdrew the name of Mr. Martin, and Mr. Collier withdrew the name of Mr. Stove. The roll having been called, there appeared

For Mr. Bartlett—39.
" " Grover—54.

All the members voted as follows:

For Mr. Bartlett—Messrs. Allen, Bartlett, Birch, Bogy, Broadhead, Bush, Cayce, Collier, Eitzen, Foster, Gantt, Givens, Gorin, Gravely, Hall of Randolph, Hatcher, Hendrick, Hitchcock, How, Irwin, Isbell, Jackson, Johnson, Knott, Leeper, McClurg, McCormack, McFerran, Morrow, Noell, Rankin, Rowland, Sayre, Scott, Smith of Linn, Turner, Watkins, Woolfolk and Mr. President—39.

For Mr. Grover—Messrs. Bast, Breckinridge, Bridge, Brown, Calhoun, Chenault, Comingo, Crawford, Doniphan, Donnell, Douglass, Drake, Dunn, Frayser, Flood, Gamble, Hall of Buchanan, Harbin, Henderson, Holmes, Holt, Howell, Hudgins, Jamison, Kidd, Linton, Long, Marmaduke, Marvin, Matson, Maupin, McDowell, Meyer, Moss, Norton, Orr, Phillips, Ray, Redd, Ritchey, Ross, Sawyer, Shackelford of Howard, Shackelford of St. Louis, Sheeley, Smith of St. Louis, Stewart, Tindall, Waller, Welch, Woodson, Vanbuskirk and Zimmerman—54.

Mr. Grover having received a majority of all the votes cast, was declared duly elected sergeant-at-arms for this Convention.

On motion of Mr. Hudgins, the Convention adjourned until to-morrow morning at 10 o'clock.

FOURTH DAY,

TUESDAY, MARCH 5, 1861.

The Convention met pursuant to adjournment, and was opened with prayer by the Rev. Andrew Monroe.

The Journal of the proceedings of yesterday was read and approved.

The President announced the appointment of the following members on the Committee on Federal Relations:

Messrs. Gamble, Henderson, Redd, Hall of Randolph, Tindall, Doniphan, Hall of Buchanan, Watkins, Hough, Sawyer, Douglass, Chenault and Pomeroy.

Also, the following members on the Committee on Claims:

Messrs. Shackelford of Howard, Pipkin and Harbin.

Harrison Hough, a Delegate from the Twenty-fifth Senatorial District, presented his credentials, and was sworn in as a Member of the Convention by Hon. S. M. Breckinridge, Judge of the St. Louis Circuit Court.

Mr. Howell offered the following, which was read, and, under rule adopted by the Convention, was referred to the Committee on Federal Relations.

Resolved, That we, the people of the State of Missouri, by our delegates in Convention assembled, being ardently attached to the Union of the States of this Confederacy, and desirous of maintaining and transmitting it to succeeding generations according to the letter and spirit of the Constitution, which we regard as the highest effort of statesmanship yet made; in view of the fact that seven of the States of said Confederacy have, in their sovereign capacity, adopted ordinances declaring their connection with the General Government dissolved, and have further declared to the world a confederated government among themselves; and several other States are deliberating as to withdrawing from the Union; and that, in our opinion, any force employed against said States that have declared themselves withdrawn from the Union (or that may so declare,) by the General Government would destroy all hope of reconstructing or preserving the Union, do earnestly remonstrate and protest against any and all coercion, or attempts at coercion, of said States, or any of them, into submission to the General Government, whether it be clothed with the name or pretense of executing the laws of the Union or otherwise, and declare that in such contingency Missouri will not view the same with indifference.

Resolved, That the President of this Convention cause a copy of the foregoing resolution to be respectfully laid before the President of the United States.

Mr. Redd offered the following resolution, which was read and referred to the Committee on Federal Relations:

Resolved by the People of the State of Missouri in Convention assembled, That we are unalterably opposed to the doctrine of coercion, believing that any attempt to carry it into practice would inevitably result in civil war, and would forever destroy all hopes of preserving or reconstructing the Union; and, so believing, we deem it due to our Northern brethren, to declare that it is the determination of the people of Missouri, that in the event that any Southern State is invaded for the purpose of carrying such doctrine into effect, *to take their stand* by the side of their Southern brethren and resist the invader at all hazards.

Mr. Gantt offered the following resolution, which was adopted:

Resolved, That the Sergeant-at-Arms be directed to cause all persons present as spectators to be seated, and that when the seats for the accommodation of the spectators are exhausted, no further spectators be admitted.

Mr. HENDERSON offered the following resolution, which was adopted:

Resolved, That a committee of seven members be appointed by the President, to whom shall be referred the communication made to this Convention by the Hon. Luther J. Glenn, Commissioner from the State of Georgia, and that they report to the Convention such action as they may deem a respectful and suitable response thereto on the part of this State.

The President appointed Messrs. Henderson, Birch, Howell, Stewart, Wright, Marvin and Knott as said committee.

On motion of Mr. PIPKIN,

Resolved, That Master J. Fielding Long be appointed a page of this Convention.

Mr. RITCHEY gave notice that on to-morrow he would move to rescind that part of the eighteenth rule, for the government of this Convention, making it the duty of each member making a proposition to read it in his place to the Convention.

On motion of Mr. BRECKINRIDGE,

Resolved, That Capt. E. D. Couzens be requested to act as Sergeant-at-Arms of the Convention until the arrival of the Sergeant-at-Arms elect.

Mr. WILSON moved that the Convention now adjourn, which motion was decided in the negative.

Mr. HENDERSON offered the following resotion, which was adopted:

Resolved, That a committee be appointed by the President, whose duty it shall be to contract for any and all printing that may be ordered by the Convention, and that they report as early as practicable.

The President appointed upon said committee Messrs. Hendrick, Howell and Woolfolk.

Mr. WELCH offered the following, which, on motion of Mr. Hatcher, was laid on the table:

Be it ordained and declared by the people of the State of Missouri, in Convention assembled, as follows:

The Legislature shall have no power to pass special laws for the following purposes:

First, To establish, change or vacate any State road.

Second, To declare minors of age for any purpose.

Third, To authorize the sale of real estate, except such as belongs to the State.

But the Legislature shall have power to pass laws to authorize courts to do and perform the various matters herein prohibited; *provided,* all such laws shall be general and uniform throughout the State.

Mr. GANTT offered the following resolution, which was read and referred to the committee appointed to take into consideration the communication of the Commissioner from the State of Georgia:

Resolved, That this Convention, having respectfully heard the address of the Commissioner from our sister State of Georgia, and having thus manifested the disposition of the people of Missouri to listen with fraternal kindness to any voice proceeding from any of their fellow-citizens of this Union, feels that its duty to the sovereignty which it represents requires an unequivocal declaration of the dissent of the people of Missouri from the proposal of which the Commissioner from their sister State of Georgia is the messenger.

Mr. RAY offered the following resolution, which was adopted:

Resolved, That Col. Doniphan be requested to address the Convention in reference to the action of the Peace Congress.

Col. Doniphan, being present, came forward and addressed the Convention as suggested in the resolution.

Mr. ALLEN offered the following resolution:

Resolved, That the regular session of this Convention, unless otherwise ordered, shall commence at ten o'clock in the morning and three o'clock in the afternoon.

Mr. SAYRE moved to amend the resolution by striking out the words, "and three o'clock in the afternoon," which was agreed to, and the resolution as amended was adopted.

Mr. ALLEN offered the following, which, on motion of Mr. Smith, of St. Louis, was laid on the table:

Resolved, That the Secretary of this Convention be authorized to purchase and furnish postage stamps for each of the members and officers of this Convention.

Mr. COMINGO offered the following, which was adopted.

Resolved, That all the resolutions offered and referred to the Committee on Federal Relations be printed for the use of the Convention.

Mr. PHILLIPS offered the following resolution, which was adopted:

Resolved, That Judge Hough be invited to address the Convention upon the subject of the Peace Congress.

Mr. **Birch** offered the following, which was adopted:

Ordered, That the Committee on Federal Relations, and the committee to which was referred the communication of the State of Georgia, as made through her Commissioner on yesterday, have leave to sit during the session of this Convention.

Mr. **Sheeley** offered the following, which was adopted:

Resolved, That Gen. Coalter be requested to address the Convention in relation to the Peace Congress.

Gen. Coalter, being present, came forward and complied with the request of the Convention.

Mr. **Long** offered the following, which was adopted:

Resolved, That Judge John B. Henderson be requested to address this Convention upon the condition of the Union.

Mr. **Pomeroy** offered the following, which was adopted:

Resolved, That the officers and members of the present General Assembly of this State, when visiting the city during the sitting of this Convention, be invited to seats within the bar.

On motion of Mr. **Gamble**, the Convention adjourned.

FIFTH DAY,

WEDNESDAY, MARCH 6, 1861.

The Convention met pursuant to adjournment, and was opened with prayer by the Rev. Mr. **Monroe**.

The Journal of the proceedings of yesterday was read and approved.

Mr. **Hatcher** offered the following preamble and resolutions, which were read and referred to the Committee on Federal Relations:

Whereas, it is the deliberate opinion of this Convention, that, unless the unhappy controversy, which now divides the States of this Confederacy, shall be satisfactorily adjusted, a permanent dissolution of the Union is inevitable; and this Convention, representing the wishes of the people of Missouri, is desirous of employing every reasonable means to avert so dire a calamity, and determined to make a final effort to restore the Union and the Constitution in the spirit in which they were established by the Fathers of the Republic; Therefore,

Resolved, That on behalf of the State of Missouri, an invitation is hereby extended to the States of Delaware, Maryland, Virginia, North Carolina, Tennessee, Kentucky and Arkansas, to unite with Missouri in an earnest effort to adjust the present unhappy controversies in the spirit in which the Constitution was originally formed, and consistently with its principles, so as to secure to the people of the slaveholding States adequate guarantees for the security of their rights; and for this purpose to appoint Commissioners to meet, on the 15th day of April next, in the city of Nashville, Tennessee, similar Commissioners appointed by Missouri, to consider, and, if practicable, agree upon some united course of action to be pursued by said States in securing these ends.

Resolved, That Gen. A. W. Doniphan, Aylette Buckner, John D. Coalter, Waldo P. Johnson, Harrison Hough, Hamilton R. Gamble, and Nathaniel W. Watkins, are hereby appointed Commissioners, whose duty it shall be, when notified by the President of this Convention that two or more of said States have accepted this invitation, to repair to the city of Nashville, Tennessee, on the day designated in the foregoing resolution, to meet such Commissioners as may be appointed by any two or more of said States, in accordance with the invitation herein contained.

Resolved, That if said Commissioners, after full and free conference, shall agree upon any plan of adjustment, or any course of action to be pursued by said States, in accordance with these resolutions, the Commissioners hereby appointed shall report the same to an adjourned session of this Convention, to be held at such time as the Convention may hereafter determine.

Resolved, That the President of this Convention send copies of these resolutions to the Executives of the several States herein mentioned, with a request that the said Executives inform him as soon as practicable, of the action of their respective States in this regard, and that when informed that two or more of said States have responded to this invitation, by the appointment of Commissioners, as herein requested, he shall forthwith inform the Commissioners herein appointed of that fact.

Mr. **Hatcher** moved to suspend the rules requiring the resolutions to be referred to the Committee on Federal Relations, and refer them to a select committee of five, which motion was decided in the negative.

The Resolutions were then referred to the Committee on Federal Relations, and ordered to be printed.

Mr. **Sayre** offered the following, which was referred to the Committee on Federal Relations, and ordered to be printed:

Resolved, That this Convention express the sentiment of the people of Missouri, in declaring their undiminished and unalterable attachment to the Union of these States, under our glorious Constitution. That a guarantee of our rights upon the subject of slavery, giving an equality to the citizen, and protection to his property that shall secure us against the threatened perversion of the Constitution of the United States, from the interpretation which it has received in all the departments of the Federal Government, up to the present time, is indispensably necessary; and is indispensably necessary to the existence of the union of these States. Without guaranties upon that subject to that effect, our Constitution and Union could not have been made, and they cannot exist without them.

That in the construction of our government, the idea of the use of force, as between the States, in holding them together, was wholly discarded. It will not only not avail for that purpose, but the undertaking of it would be usurpation.

That this Convention appoint——Commissioners, and that we recommend that the States of Delaware, Maryland, Virginia, North Carolina, Tennessee, and Kentucky, to appoint Commissioners to meet at——in the State of ——on the——day of——to confer together, and set forth such amendments to the Constitution as will be sufficient for our honor and protection of our rights, and to urge upon the States which have seceded, and upon the Northern States, to accede to and adopt them.

Mr. **Dunn** offered the following, which was read and referred to the Committee on Federal Relations and ordered to be printed.

Resolved by the People of the State of Missouri in Convention assembled, That we are in favor of the adjustment of our national troubles, upon the basis of the amendments to the Constitution of the United States proposed by Senator Crittenden, thereby arresting the progress of revolution, and securing our constitutional rights in the Union, and removing forever from the arena of party politics the dangerous sectional questions that have brought us to the verge of ruin.

Mr. **Woolfolk** offered the following, which was read and referred to the Committee on Federal Relations and ordered to be printed.

Resolved, That the present crisis demands that the rights of the Slave States should be secured to them by amendments to the Constitution, and that this Convention recommends to the Legislature of Missouri that they apply to Congress to call a general Convention of all the States in the manner provided by the Constitution for the purpose of making such amendments thereto as will secure the rights of the Slave States, restore peace, and relieve the Southern mind of apprehension for the future.

Mr. **Long** offered the following resolution, which, on motion of Mr. **Foster**, was laid on the table:

Resolved, That the Sergeant-at-arms furnish each member of this Convention, except the St. Louis delegation, with twenty-five postage stamps.

Mr. **Stewart** offered the following resolution, which was read and referred to the Committee on Federal Relations and ordered to be printed.

Resolved, That in the opinion of this Convention a Convention of the people of the Border States for the purpose of presenting a plan of Compromise to a Convention of the people of all the States, would be the most sure and efficacious method of adjusting in a fraternal spirit the alarming discords which threaten the disruption of the Government.

Mr. **Linton** offered the following, which was read and referred to the Committee on Federal Relations:

Resolved, That there exists no adequate cause why Missouri should secede from the Union, and that she will do all that she can to restore peace to the same by satisfactory compromises.

Mr. **Hendrick** offered the following, which was read and referred to the Committee on Federal Relations:

1. *Resolved*, That at the time of the adoption of the Federal Constitution it was the understanding and intention of the people of the United States that they were thereby united

together for all the purposes expressed and contemplated in that instrument as one people, inseparable and forever.

2. *Resolved*, That the provisions of the Federal Constitution were understood and intended by the people of the United States to be the supreme law of the land, and not a mere compact; and for violations and infractions thereof by the Federal or any State government, disintegration was not contemplated, but remedies as provided in the Constitution to be sought and obtained in the Union.

3. *Resolved*, That while the right of revolution, for adequate cause, is not denied, yet the Constitution of the United States, and acts of Congress made in pursuance thereof for the admission of new States into the Union as integral parts of the United States, being the supreme law of the land, no Ordinance of Secession adopted by a State government can abrogate them.

4. *Resolved*, That the Ordinances of Secession adopted by the several States of the Union are unauthorized in law and without adequate cause in fact, and when we are called upon to follow their example it is right and proper for us to consider the legality and propriety of doing so.

5. *Resolved*, That the action of several of our sister States, in adopting Ordinances of Secession, is no justifiable cause for Missouri to secede.

Mr. Ritchey, in pursuance of notice given on yesterday, offered the following, which was adopted:

Resolved, That that portion of the eighteenth rule by which this Convention is governed, requiring each member making a proposition to read it distinctly to the Convention, is hereby rescinded.

Mr. Foster offered the following, which was read and referred to the committee heretofore appointed to take into consideration and reply to the Commissioner from the State of Georgia as made through her Commissioner.

Whereas, The State of Georgia, in Convention assembled, appointed Mr. L. J. Glenn a Commissioner to the State of Missouri, to present to the Convention of this State the Ordinance of Secession of the State of Georgia, and to invite the co-operation of the State of Missouri in the formation of a Southern Confederacy; and whereas, by invitation of this Convention, the said Luther J. Glenn appeared in Convention and presented his commission and the Ordinance of Secession of the State of Georgia. Be it therefore

Resolved, By the delegates of the State of Missouri, in Convention assembled, that we respectfully decline considering the Ordinance of Secession of the State of Georgia, as to the propriety of forming a Southern Confederacy.

Mr. Stewart offered the following, which was read and referred to the Committee on Federal Relations:

Resolved, That in the opinion of this Convention no overt act has been committed by the General Government sufficient to justify either secession, nullification or revolution.

Mr. Turner offered the following resolution:

Resolved, That a committee of seven members of this Convention (one from each Congressional District,) be appointed, to whom shall be referred all proposed alterations or amendments to the Constitution of the State of Missouri.

Mr. Sayre moved to lay the resolution on the table, which was decided in the affirmative by the following vote, the ayes and noes being demanded by Mr. Turner:

Ayes—Messrs. Bass, Bast, Birch, Breckinridge, Bridge, Brown, Cayce, Chenault, Collier, Comingo, Doniphan, Donnell, Douglass, Drake, Dunn, Frayser, Flood, Foster, Gamble, Gantt, Givens, Gorin, Hall of Buchanan, Hall of Randolph, Harbin, Hatcher, Hill, Hitchcock, Holmes, Holt, Hough, Howell, Hudgins, Irwin, Jamison, Kidd, Knott, Linton, Long, Marmaduke, Matson, McCormack, McDowell, McFerran, Morrow, Moss, Noell, Norton, Orr, Phillips, Pomeroy, Ray, Ritchey, Ross, Rowland, Sawyer, Sayre, Scott, Shackelford of Howard, Shackelford of St. Louis, Sheeley, Smith of Linn, Stewart, Tindall, Watkins, Wilson, Woodson, Woolfolk, Vanbuskirk and Mr. President—70.

Noes—Messrs. Allen, Bartlett, Broadhead, Bush, Calhoun, Eitzen, Gravely, Hendrick, How, Isbell, Jackson, Johnson, Leeper, Marvin, Maupin, McClurg, Rankin, Smith of St. Louis, Turner, Waller, Welch, Wright and Zimmerman—24.

Absent—Messrs. Henderson, Meyer and Redd.

Sick—Messrs. Crawford and Pipkin.

Mr. Dunn offered the following resolution, which was read and referred to the Committee on Federal Relations:

Resolved, By the people of the State of Missouri, in Convention assembled: That we are opposed to military coercion for the purpose of subjugating the States that have withdrawn from the Union, and we would regard any attempt at such military coercion, under any pretext whatever, as an act of war, which, if successful, would lead to the establishment of a military despotism upon the ruins of the Constitution. We are also opposed to any act of war against the United States by the States that have withdrawn from the Union. The preservation of the Union depends upon the preservation of the peace.

Mr. Allen introduced the following resolution, which was read and referred to the Committee on Federal Relations:

Resolved, That the border free and slave States be requested by this Convention to cooperate together for the settlement of the questions that now agitate this country.

Mr. Orr offered the following resolution, which was read and referred to the Committee on Federal Relations:

Resolved, That we have the best government in the world, and intend to keep it.

Mr. McFerran offered the following resolutions, which were read and referred to the Committee on Federal Relations:

Resolved, That Missouri deplores the sectional strife and alienation existing between the North and the South, and regards the same as inimical to the dearest rights of Missouri and the peace and perpetuity of our Federal Union.

2. *Resolved,* That Missouri is an integral part of the great West, and declares her fealty and attachment to her own interests and section, and invites her sister States of the West to ignore the dogmas of New England on the one hand, and the Gulf States on the other; and at once to inaugurate a Western policy, loyal to the Federal Constitution and the Union of the States.

Mr. Wilson offered the following, which was adopted:

Resolved, That the Committee on Accounts be instructed to allow the door-keeper and sergeant-at-arms each five dollars per day, and the pages each two dollars and fifty cents per day's services.

Mr. Shackelford, of Howard, offered the following, which was adopted:

Resolved, That the Committee on Accounts be instructed to allow the Chaplain of this Convention five dollars per day during the sitting of this Convention.

Mr. Turner offered the following resolution, which was read and referred to the Committee on Federal Relations:

Resolved, That the people of Missouri deplore the existence in some of the Northern States of acts known as "Personal Liberty Bills," designed to nullify the fugitive slave law, and giving the Southern States just cause of complaint for the violation of the compact existing between the States; which personal liberty bills are admitted to be unconstitutional even by the Executives of the States having such laws; and we equally deplore the state of feeling in the South, and the passage of Ordinances of Secession by the Southern States, declaring themselves dissolved from the obligations and bonds imposed upon them by the Constitution of the United States.

On motion of Mr. Norton, the Convention adjourned.

SIXTH DAY,

THURSDAY, MARCH 7, 1861.

The Convention met pursuant to adjournment, and was opened with prayer by the Rev. Mr. Monroe.

The Journal of the proceedings of yesterday was read and approved.

Mr. Norton offered the following resolution, which was read and referred to the Committee on Federal Relations:

Resolved, That it is the opinion of this Convention, that the country and confederacy could at once be relieved from its present deplorable condition, if the great conservative heart of the people of all sections could be appealed to independent of the influence of the demagogues, fanatics and politicians, who sprung the present tests for their own benefit; and thus believing, we suggest that the Legislature of the State of Missouri recommend the Crittenden compromise propositions to Congress as amendments to the Federal Constitution, or recommend Congress to call a National Convention, to which these or similar propositions shall be submitted as amendments to the present Constitution.

Mr. Zimmerman offered the following resolution, which was read and referred to the Committee on Federal Relations:

Resolved, That this Convention appoint a committee of five to confer with the border slave and free States upon the subject of the preservation of the Union upon just and proper principles, and that a Convention of the border slave and free States be called for the purpose of forming a Middle Confederacy in the event of the failure of the preservation of the present Union.

Mr. **Shackelford**, of Howard, offered the following resolution :

Resolved, That each member of the Convention be requested to hand to the Committee on Accounts, without delay, a statement of the number of miles travelled by each, to the City of Jefferson, that the same may be examined and the proper allowance for mileage be made by the Committee.

Mr. **Welch** moved to amend by striking out the words "to the City of Jefferson," which motion was rejected by the Convention.

The question then being on the original resolution, the same was adopted.

Mr. **Wilson**, from the Committee heretofore appointed, presented the following report which was agreed to :

Mr. **President** : The committee to which was referred the resolution requiring said committee to employ two competent persons to report the proceedings and debates, report that they have discharged that duty, and have employed L. L. Walbridge and E. Schrick, gentlemen well qualified to discharge the duties required, and have agreed to pay said Reporters, each, six dollars per day, during the sitting of the Convention. All of which is respectfully submitted.

Mr. **Brown** offered the following resolutions, which were read, and on motion of Mr. **Welch** laid on the table and ordered to be printed :

Resolved, That when this Convention shall have finished the business for which it assembled it shall adjourn to meet in the Representatives' Hall, in the city of Jefferson, on Monday, the first day of July, 1861.

Resolved, 2d, That a Committee of Seven, composing one from each Congressional district of the State of Missouri, be elected by ballot, whose duty it shall be to convene the said Convention prior to the time designated as above, should the exigencies of the time require it to be done, by giving fifteen days' notice in some one of the public newspapers published in each one of the Congressional districts of the State of Missouri of the time and place of holding the said Convention.

And be it further Resolved, That the said Committee, as soon as practicable after their election, meet together, appoint their Chairman, and establish their rules by which they are to be governed in convening said Convention, or deciding upon the practicability of so doing.

Mr. **Breckinridge** offered the following resolutions, which were read and referred to the Committee on Federal Relations :

Resolved by the People of Missouri in Convention Assembled, That secession is a dangerous political heresy, finding no warrant in the constitution or laws which lie at the foundation of our systems of government.

Resolved, That Missouri will do nothing to sanction, support or countenance the pretended right of secession, since its approval by the people involves the destruction of all our institutions, whether State or Federal.

Resolved, That the government which our fathers formed, and which for nearly three quarters of a century has failed in nothing to answer the ends for which it was established, is suited to the habits, and adapted to the wants of the American people, and that every dictate of wisdom requires us to direct our efforts rather to its preservation than the formation of any substitute for it.

Resolved, That we deplore the action of some of our Southern brethren in adopting ordinances of Secession, and assuming a hostile attitude towards the Federal authorities. In asserting that secession is a remedy for the grievances of which the South complains ; in seeking to destroy the Federal government, which is of itself guiltless of wrong ; and in forgetting that in and through the Union are better means and ampler facilities for redressing all grievance than out of it—they have committed grave errors ; and whilst Missouri will exhaust all efforts in restoring harmony and securing justice, she recognizes no obligation to support them in these proceedings, believing that thereby she would prejudice rather than promote the best interest of all concerned.

Resolved, That it is essential to the existence of government that some authority should be charged with the duty of executing the laws, and that the proper action of the constituted authorities should be supported and obeyed ; and although we deprecate any collision between the Federal government and our disaffected Southern brethren, it is the opinion of this Convention that these duties and obligations, as prescribed by and under our Federal Constitution, cannot be annulled or impaired consistently with the peace, dignity, or existence of the governments, State or Federal.

Resolved, That for the thorough and final removal of all cause of complaint against our brethren of the Northern States, we desire the enforcement of the Constitutional guarantee concerning the rendition of fugitives from service, a renunciation of any purpose to interfere with slavery in the States or in the District of Columbia, or with the inter-state slave trade, and some equitable and complete adjustment of the territorial question based upon an abandonment by the North of any purpose to use the power of the General Government to repress or extinguish slavery, and by the South of any purpose to use the power of the General Government to perpetuate and extend it; and that we confidently rely upon the justice of our Northern brethren to aid by appropriate legislation, or by adequate constitutional amendments, in producing these results, and in securing their enforcement and observance by a cordial compliance with their spirit.

Resolved, That we appeal to our sister States of Kentucky, Arkansas, Tennessee, North Carolina, Virginia, Maryland, and Delaware, whose interests are so closely identified with our own, to stand firmly with us in the position we assume, asking of our Northern brethren the full recognition of our just claims, and of our Southern brethren a reconsideration of their hasty action—that so may be restored the old relations of peace, prosperity and perfect union.

Mr. Moss offered the following resolutions, which were read and referred to the Committee on Federal Relations:

Resolved, That believing there is no hope left for a settlement of our present difficulties, except by the action of the people at the ballot box, we recommend the calling of a National Convention, to be composed of delegates elected by the people; and believing further that it is of the last importance to have unity and concert of action on the part of the friends of the Union, and being satisfied that a large majority of the people of the United States are in favor of what are known as the Crittenden resolutions as a basis of setlement, Missouri will occupy that ground, and we call upon the friends of peace and the Union in the slaveholding and non-slaveholding States to take position with Missouri, and, if possible, instruct their delegates to the National Convention to make the Crittenden resolutions the basis of settlement of our difficulties.

Resolved, That being unalterably opposed to any attempt on the part of the General Government to coerce a seceding State, Missouri will never furnish men and money for that purpose.

Mr. Comingo offered the following resolutions, which were read and referred to the Committee on Federal Relations.

Whereas, under our Federal Government we have been one of the greatest and one of the most prosperous nations of the earth; *and, whereas,* said government, if faithfully administered, will ultimately secure to its subjects a degree of happiness and greatness never yet attained by any other people; *and, whereas,* there are strong reasons for fearing that the conflicting views and feelings of the people of this Confederacy may result in the subversion of the Government under which we have so greatly prospered, and plunge our nation into the vortex of civil war, and drench the land with fraternal blood: *Therefore,* we, the people of the State of Missouri, in Convention assembled, do hereby

Resolve, 1*st*. That under the Federal Government the people of the United States of America have hitherto been greatly prospered at home and respected abroad; and that to it they are mainly indebted for the high position they have attained among the nations of the earth.

2. *Resolved,* That we are warmly attached to the Federal Union, and that we will not cease our efforts for its preservation, until hope that we may obtain an honorable settlement of our difficulties ceases to be rational.

3. *Resolved,* That we believe all our national difficulties may be settled, and that peace and fraternal feeling will be again restored, if the people of the North should be allowed the time, and can obtain the privilege of uttering their voice at the ballot box.

4. *Resolved,* That without the further exercise of a spirit of forbearance, conciliation and compromise, there can be no hope of an adjustment of our national difficulties; and that unless they be amicably adjusted, civil war will inevitably ensue; and, as a necessary consequence, financial and social and moral ruin must follow, together with scenes of carnage and violence without a parallel in the history of our race.

5. *Resolved,* That, in the opinion of this Convention, the compromise resolutions offered by Senator Crittenden, at the late session of Congress, present a basis of adjustment that is at once honorable and permanent; that it is not unreasonable to hope that the seceded States would ultimately return into the Union on that basis were it adopted; and that no propositions, materially differing from those above indicated, will be so well calculated to restore peace, and dispel the darkness that overshadows the land.

6. *Resolved,* That whatever may be our views touching the action of the seceded States; however much we may regret their haste, and however much we may feel the injustice which they have done their sister slave States, we believe any attempt on the part of the General Government to coerce them back would involve the whole nation in civil war, and would forever preclude the possibility of a reunion of the States.

7. *Resolved,* That whether Missouri shall continue to occupy her present *status,* or shall hereafter be compelled to seek other alliances, she will not submit to, nor tolerate, but will resist and oppose any attempt that may point to the coercion of the seceded States.

8. *Resolved,* That, in order further to carry forward our efforts to procure our liberties and union, we recommend a Convention of the people of the border States for the purpose of presenting a plan of adjustment to be submitted to the people of all the States that have not seceded.

Mr. McDowell presented the following resolution, which was adopted:

Resolved, That Hon. John Reynolds, late Governor of Illinois, be invited to address this Convention, in this Hall, on next Friday evening, at 7 o'clock.

Mr. Gantt offered the following resolutions, which were read and referred to the Committee on Federal Relations.

1. *Resolved,* That the Government which is the birthright of the citizens of this Union, resulting from the combined action of the Federal Constitution and those of Federal States, is, beyond any of which history speaks, calculated for the promotion of the great ends for which governments were established among mankind.

2. *Resolved,* That the physical peculiarities of our widely extended country, and its varieties of soil and climate, necessitating a diversity of pursuits and a division of labor, and seconding most auspiciously the far-reaching and long-sighted wisdom and patriotism of those who laid the foundations of the American Union, have raised this country, in the short space of three score years and ten, to the full stature of a first-rate power, differing from other nationalities of equal rank chiefly in this: that whereas centuries of struggle, of misfortune, and painful vicissitude have brought *them* to their present state, *our* happy condition is the achievement of hopeful and expanding youth, a few years of prosperity uncheckered with reverse, and the blessing of Heaven upon the best system of government which the wisdom and piety of mankind ever devised for the welfare of the human race.

3. *Resolved,* That while nothing which is the work of living man is free from imperfection, it may be said, without unbecoming presumption, that the successful solution by the fathers of our nation, of the great problem of government, (which never before was able to hit and maintain the golden mean between despotism and anarchy,) has not only made the United States the envy of the universe, but has been, and, despite the dangers that threaten us, *still* is, the pole-star and the watch-word throughout the world of those who are struggling for liberty.

4. *Resolved,* That while this is the benign aspect which this country wears towards oppressed and struggling nationalities, our flag, which now waves over every sea, carries to the governments of the remotest regions of the earth, a warning that wherever the humblest American citizen is found, the protection of a mighty, vigilant and proud nation accompanies and watches over him.

5. *Resolved,* That the enjoyment of the innumerable blessings which flow from our National Union is a boon, for gaining which, the most spiritless of mankind would gladly barter their blood; and that the people of the United States, on pain of being condemned as unworthy and degraded men, standing in most hideous contrast with their heroic forefathers, must transmit this sacred inheritance unimpaired to their children.

6. *Resolved,* That coercion in the sense of civil war waged by one section of the country upon the other with the design of bringing any State or States into subjection, and holding them as conquered provinces, is not only a moral, political and military impossibility, but is subversive of the central idea on which the Union of these States was formed; but that the same word in the sense of a faithful execution of the supreme law of the land (of which the fugitive slave law and the law for the suppression of the African slave trade are examples) means no more than what is inseparably bound up with the very nature of government—and that government deprived of its healthful functions, is the idlest of all solemn mockeries.

7. *Resolved,* That the present is a crisis, the importance of which no language can exaggerate. That our national existence, our civil liberties, the right of every peaceful and orderly

citizen to enjoy the fruits of his toil, and freedom from the tyranny of tumultuary violence, all depend upon what the next few months may bring forth. That in the conclusions which may then be reached will be found the answer to the inquiry, whether this proud and powerful nation shall become a hissing and a reproach, furnishing one more theme for the exultation of the friends of arbitrary government; or shall vindicate our claim to be considered as the faithful depositaries of the best hopes of mankind.

Mr. Moss offered the following order, which was, on motion of Mr. Irwin, laid on the table:

Ordered, That the Inaugural Address of the President of the United States be committed to a Committee of the Whole House, to be denominated a Committee of the Whole on the State of the Union.

Mr. Flood offered the following resolutions, which were referred to the Committee on Federal Relations:

Whereas, Seven of our sister States have withdrawn from the General Government, and have formed a new Confederacy; therefore

1. *Resolved,* That it is the wish of the State of Missouri that the officers and soldiers of the Forts, and the officers of the Custom Houses belonging to the United States, within the limits of said seceding States, be withdrawn.

2. *Resolved,* That the President of this Convention make known our wishes to the President of the United States.

Mr. Phillips offered the following resolution:

Resolved, That a committee of two be appointed by the President to wait upon the Hon. John B. Clark, member of Congress from the Third Congressional District of Missouri, and invite him to address this Convention at such time as may suit his convenience.

Mr. Bogy moved to amend by adding the name of Hon. John W. Noell, which motion was agreed to by the Convention.

Mr. Dunn moved to amend by adding the name of Captain Craig.

Mr. Sheeley moved to amend the amendment by adding all the members of the present Congress now in the city.

And thereupon, by leave of the Convention, Mr. Phillips withdrew the original resolution.

Mr. Brown offered the following resolution, which was adopted:

Resolved, That the resolution requiring all resolutions referred to the Committee on Federal Relations to be printed be rescinded.

Mr. Matson offered the following resolution, which, on motion of Mr. Phillips, was laid on the table:

Resolved, That this Convention invite Hon. A. H. Buckner to address it on the subject of his mission to the Peace Conference.

Mr. Irwin offered the following resolution, which was referred to the Committee on Federal Relations:

Resolved, By the people of the State of Missouri, in Convention assembled, that the basis of settlement proposed in the resolutions of the Hon. John J. Crittenden of Kentucky, had the same been adopted, would have met with our hearty approval, believing at the same time that they contained nothing to which the South is not justly entitled; yet in view of the dangers which surround us, and which threaten the disruption and final overthrow of our glorious Republic, involving interests the value, yea, the preciousness of which can never be estimated, we will approve of any other fair and honorable plan of adjustment that will bring peace to our distracted country, and furnish proof to the world that, as a nation, we are one great people—one in name, one in interest, one in destiny.

Mr. Shackelford, of Howard, moved a reconsideration of the vote on the adoption of the resolution inviting Hon. John Reynolds to address the Convention, which was agreed to, and thereupon the resolution was laid on the table by the Convention.

Mr. Wilson offered the following resolution:

Resolved, That the people of Missouri, by their delegates assembled in this Convention, do hereby tender to the Hon. John J. Crittenden, of Kentucky, and the Hon. Stephen A. Douglas, of Illinois, their thanks for their patriotic, able and untiring efforts, during the last session of Congress, to settle and adjust the sectional difficulties which now, so unhappily, distract the people of this great Confederacy; and, although they have been as yet unsuccessful, yet we feel assured that the labors of these distinguished patriots will be gratefully remembered by every true friend of Liberty and Union in all time to come.

Which was adopted by the following vote, the ayes and noes being demanded by Mr. Ritchey:

Ayes—Messrs. Allen, Bartlett, Bass, Bast, Birch, Bogy, Breckinridge, Broadhead, Bridge, Brown, Bush, Calhoun, Cayce, Collier, Comingo, Crawford, Donnell, Drake, Dunn, Eitzen, Frayser, Flood, Foster, Gantt, Givens, Gorin, Gravely, Harbin, Hatcher, Hendrick, Hill, Hitchcock, Holmes, Holt, How, Howell, Hud-

gins, Irwin, Isbell, Jackson, Johnson, Jamison, Kidd, Knott, Leeper, Linton, Long, Marmaduke, Marvin, Matson, McClurg, McCormack, McDowell, McFerran, Meyer, Morrow, Moss, Noell, Norton, Orr, Phillips, Rankin, Ray, Ritchey, Ross, Rowland, Scott, Shackelford of Howard, Shackelford of St. Louis, Sheeley, Smith of Linn, Smith of St. Louis, Stewart, Turner, Waller, Welch, Wilson, Woodson, Woolfolk, Wright, Vanbuskirk, Zimmerman and Mr. President—83.

NOES—None.

ABSENT ON LEAVE—Messrs. Chenault, Doniphan, Douglass, Gamble, Hall of Buchanan, Hall of Randolph, Henderson, Hough, Pomeroy, Sawyer, Redd and Watkins.

ABSENT—Messrs. Maupin, Sayre and Tindall.

SICK—Mr. Pipkin.

On motion of Mr. SHEELEY, the Convention adjourned.

SEVENTH DAY,

FRIDAY, MARCH 8, 1861.

The Convention met pursuant to adjournment, and was opened with prayer by the Rev. Mr. Monroe.

The journal of the proceedings of yesterday was read and approved.

Mr. CALHOUN offered the following resolutions, which were read and referred to the Committee on Federal Relations:

Resolved, That the difference existing between the Northern and Southern States can be better adjusted in the Union than out of it, and that it is only to be done by a spirit of mutual forbearance and concession.

Resolved, That whenever we exhaust all efforts to compromise the existing differences, and have given the people in Southern and Northern States time to reflect and act, and we see that on the part of the free States and the extreme Southern States that they do not love the Union sufficiently to make concessions sufficient to prevent it, then it will behoove us, with the border States—that is, those States bordering on the Ohio and Mississippi rivers—with North Carolina, to meet in Convention and determine what will be best for them to do in the premises.

Mr. HARBIN offered the following resolution, and moved that the rule requiring it to be referred to the Committee on Federal Relations be rescinded, which motion was decided in the negative. The resolution was then read and referred according to the rule:

Resolved, That this Convention earnestly desire an early settlement of the questions which have unhappily estranged the people of the different sections of the United States from each other, and we earnestly hope that measures may soon be inaugurated to allay the present excitement, and restore peace and harmony among the several States; and that, in the opinion of this Convention, any attempt on the part of the Executive of the United States to coerce, by force of arms, the seceding States again into the Union, will be both unwise and impolitic, tending to force the border States to secession, and all the States into civil war.

Mr. TURNER offered the following resolutions, which were read and referred to the Committee on Federal Relations.

1. *Resolved*, That we, the people of the State of Missouri, are immovably attached to the Constitution of the United States, and that while we have a veneration for the patriotic names of Washington, Jefferson and Madison, we will ever uphold and defend that sacred instrument from the violence, treason and fanaticism of either Northern or Southern traitors.

2. *Resolved*, That we deny the existence of the right of secession in government affairs, believing that the existence of such right would be destructive to the permanency of our national government, which we understand to have been intended to be perpetual by the framers of the Constitution.

3. *Resolved*, That while we deny the right of secession, we hold to the inalienable right of revolution, whenever the Government under which we live becomes so oppressive or tyrannical that the evils of revolution can better be borne and endured than the oppressions complained of.

4. *Resolved*, That in the opinion of this Convention the General Government is the palladium of the liberties of the people of the United States, and as long as it continues to protect and defend the liberties and rights of the citizens of Missouri, so long will Missouri stand true and loyal to the Union and Constitution, regardless of what other States may see proper to do in the premises.

Mr. Cayce offered the following resolution:

Resolved, That the Committee for Publication be requested to have three hundred copies of the roll struck, with the postoffice address of each member, for the use of the members of this Convention.

Mr. Dunn moved to amend by striking out "three hundred" and inserting five hundred, which amendment was agreed to.

Mr. Sheeley moved to amend the resolution by inserting county, age, place of nativity, post office address and profession, and that each member be requested to furnish the Secretary with the information, which was agreed to.

Mr. Crawford moved to amend after the word "nativity" by adding "antecedents in politics," which was rejected.

The resolution, as amended, was then adopted.

Mr. Howell offered the following, which, on motion of Mr. Sheeley, was laid on the table:

Resolved, That the Committee on Printing procure the printing and binding of——copies of the debates in, and proceedings of, this Convention.

Mr. Bush offered the following, which was read and referred to the Committee on Federal Relations:

Resolved, That the history of all nations, from the ancient to the modern times, has proven that the dismemberment of any one nation into several governments, or confederacies, has resulted in anarchy, despotism and ruin, and that as in Union there is strength, so in disunion there is destruction.

Mr. Ray offered the following resolution, which was adopted:

Resolved, That the Committee on Printing be requested to inquire into the propriety and probable cost of having——copies of the debates in, and proceedings of, this Convention published in pamphlet form, and report the same to this Convention for future action.

Mr. Leeper offered the following resolutions, which were read and referred to the Committee on Federal Relations:

1. *Resolved by the People of Missouri, in Convention assembled*, Whereas, great disquietude exists in this Government, in the Gulf States of the South, by the aggressive acts of the extreme Northern States; therefore

2. *Resolved*, That this Convention condemns the aggressive acts of the North, and the hasty and precipitate action of the Southern or seceded States.

3. *Resolved*, That the course pursued by South Carolina and other seceding States is no reason that Missouri should follow their example.

4. *Resolved*, That it is the duty of Missouri and the other border States to take a firm position for the maintenance of the Union, the preservation of our Constitution, and the honor of our flag; and, if necessary, to form a central republic of the border States, both North and South, adopting the Constitution as our supreme law, the stars and stripes as our ensign, and invite our wandering sister States to assume their original position in the family of States forming this great confederacy.

5. *Resolved*, That this Convention is opposed to the present Executive attempting to force or coerce the seceding States back into the Union, and that this Convention is equally opposed to South Carolina, or any or all of the seceding States, attacking or inaugurating a war for the purpose of capturing any fort, fortification or other public property belonging to the United States.

Resolved, 6*th*, That the people wish all the national difficulties settled by some just and honorable compromise, and would for this purpose recommend those resolutions known as the Crittenden Resolutions, or any other plan that would do justice both to the North and South.

Mr. Long offered the following resolution, which on motion of Mr. Crawford was laid on the table by the following vote, the ayes and noes having been demanded by Mr. Long:

Resolved, That the inaugural address of President Lincoln is a message of peace and not of war.

Ayes.—Messrs. Allen, Bartlett, Bass, Bast, Bogy, Brown, Calhoun, Cayce, Chenault, Collier, Comingo, Crawford, Doniphan, Donnell, Drake, Dunn, Frayser, Flood, Givens, Gorin, Gravely, Harbin, Hatcher, Hill, Holt, Hough, Howell, Hudgins, Irwin, Jamison, Marmaduke, Matson, McCormack, McDowell, Noell, Phillips, Pomeroy, Rankin, Redd, Ritchey, Sawyer, Sayre, Shackelford of St. Louis, Sheeley, Waller, Watkins, Wilson, Woolfolk, Vanbuskirk, Zimmerman and Mr. President—52.

Noes.—Messrs. Breckinridge, Broadhead, Bridge, Bush, Eitzen, Foster, Gantt, Henderson, Hendrick, Hitchcock, Holmes, Howe, Isbell, Jackson, Johnson, Leeper, Linton, Long, Marvin, Maupin, McClurg, McFerran, Meyer, Morrow, Moss, Norton, Orr, Ray, Rowland, Scott, Smith of St. Louis, Turner, Welch, Woodson and Wright—37.

Absent: Messrs. Knott, Ross, Stewart and Tindal.

Absent on Leave: Messrs. Douglass, Gamble, Hall of Buchanan, Hall of Randolph.

Sick : Messrs. Birch and Pipkin.

Mr. Turner moved to take up the resolution introduced by him on yesterday, and laid on the table, for the appointment of a Committee of seven members, (one from each congressional district,) to whom shall be referred all proposed alterations or amendments to the Constitution of the State of Missouri, which motion was decided in the negative by the following vote, the ayes and noes having been demanded by Mr. Comingo.

Ayes.—Messrs. Bass, Bast, Bogy, Breckinridge, Broadhead, Bridge, Bush, Calhoun, Eitzen, Frayser, Gantt, Gravely, Henderson, Hendrick, Hitchcock, Holmes, How, Howell, Hudgins, Isbell, Jackson, Johnson, Kidd, Leeper, Marvin, Maupin, McClurg, Meyer Morrow, Orr, Rankin, Scott, Smith of Linn, Smith of St Louis, Turner, Welch, Wilson, Wright and Zimmerman—39.

Noes.—Messrs. Allen, Bartlett, Brown, Cayce, Chenault, Collier, Comingo, Crawford, Doniphan, Donnell, Douglass, Drake, Dunn, Flood, Foster, Givens, Gorin, Harbin, Hatcher, Hill, Holt, Irwin, Jamison, Linton, Long, Marmaduke, Matson, McCormack, McDowell, McFerran, Moss, Noell, Norton, Phillips, Pomeroy, Ray, Redd, Ritchey, Rowland, Sawyer, Sayer, Shackelford of Howard, Shackelford of St. Louis, Sheeley, Waller, Woodson, Woolfolk, Vanbuskirk and Mr. President—49.

Absent on Leave—Messrs. Gamble, Hall of Buchanan, Hall of Randolph, Hough and Watkins.

Absent—Messrs. Knott, Stewart and Tindall.

Sick—Messrs. Birch and Pipkin.

On motion of Mr. Welch, the Convention adjourned.

EIGHTH DAY.

SATURDAY MARCH 9, 1861.

The Convention met, pursuant to adjournment, and was opened with prayer by the Rev. Mr. Monroe.

The Journal of the Proceedings of yesterday was read and approved.

The Committee on Printing submitted the following report:

The Committee on Printing respectfully report that they have made diligent inquiry in relation to the printing to be required by the Convention, and find it difficult to specify the precise kind of work necessary; and it is almost impossible to give a schedule of prices.

The Committee have, therefore, made arrangements with George Knapp & Co., who agree to execute the printing for the Convention, on the same basis as that adopted in the Revised Statutes of Missouri, and applicable to Public Printing.

All printing in book form, to be done on good, strong paper, in such type as may be directed by the Committee or Officer having superintendance thereof. All documents and other job work, with such type and paper as may be directed by the proper officer. The printing to be done promptly, in a neat and workmanlike manner.

Price for blank forms, 62½ cents for the first eight quires, each; and for every additional quire, 50 cents.

For public documents, the price to be 50 cents per thousand ems, for the first hundred copies, and 10 cents per thousand ems for each additional hundred copies.

For pressing sheets, folding and stitching, and covering with strong paper cover, not over 5 cents per volume, for less than 32 pages for each volume; substantially half bound, leather covers and backs, and lettered, 30 cents.

The Committee recommend the adoption of the following resolutions :

1. *Resolved*, That the Secretary of the Convention be instructed to have the printing done by George Knapp & Co., on terms as above.

2. *Resolved*, That the Secretary be instructed to have printed at least 5,000 copies of the Debates and Proceedings, in pamphlet form, for the use of the members of the Convention.

LITTLEBERRY HENDRICK,
WM. J. HOWELL,
ALEX. M. WOOLFOLK.

Mr. Sheeley moved to strike out the second resolution in said report; which motion was agreed to. The report of said Committee was then adopted by the Convention.

Mr. Irwin offered the following resolution, which was adopted :

Whereas, A resolution was introduced into this body, on yesterday, declaring that the Inaugural of President Lincoln is one of peace, and not of war, which resolution was, on motion, laid on the table, And, Whereas, it has been represented that the action of the Convention may be viewed in the light of a test vote, therefore,

Resolved, That the action of the Convention, in laying said resolution on the table, cannot, with the least propriety or show of truth, be considered as any test whatever of the sense of this Convention, relative to the sentiment enunciated in said resolution.

Mr. Dunn offered the following resolution, which was adopted:

Resolved, That the committee on printing shall contract for printing five thousand copies of the proceedings and debates of this Convention, in pamphlet form, and one thousand copies, to be bound, as soon as the General Assembly shall make an appropriation to pay for the same.

Mr. Gamble, from the Committee on Federal Relations, presented the following report, which was read, and on motion of

Mr. Doniphan, was laid on the table, ordered to be printed, and made the special order of the day for Monday, at half-past ten o'clock, a. m.

Report and Resolutions of Committee on Federal Relations:

The Committee on Federal Relations beg leave to report. On looking to the present condition of our late prosperous, happy and united country, we see seven of our sister States by the action of their Conventions declaring themselves separated from the United States, and organizing for themselves a distinct national government; while others are in a disturbed condition, looking anxiously to the future, and uncertain about all that is to come.

If, in our astonishment at the sudden disruption of our nation, we attempt to trace the causes that have produced the disastrous result, we find that the origin of the difficulty is rather in the alienated feelings existing between the Northern and Southern sections of the country, than in the actual injury suffered by either; rather in the anticipation of future evils, than in the pressure of any now actually endured.

It is true that the people of the Southern States have a right to complain of the incessant abuse poured upon their institutions by the press, the pulpit, and many of the people of the North. It is true that they have a right to complain of legislative enactments designed to interfere with the assertion of their constitutional rights. It is true that the hostile feeling to Southern institutions entertained by many at the North have manifested themselves in mob violence interfering with the execution of laws made to secure the rights of Southern citizens. It is true that in one instance this fanatical feeling has displayed itself in the actual invasion of a Southern State by a few madmen, who totally misunderstood the institution they came to subvert. It is true that a sectional political party has been organized at the North, based upon the idea that the institution of Southern slavery is not to be allowed to extend itself into the Territories of the United States, and that this party has for the present possessed itself of the power of the Government.

Whilst it is thus true that the people of the South have well-grounded complaints against many of their fellow-citizens of the North, it is equally true that heretofore there has been no complaint against the action of the Federal Government in any of its departments, as designed to violate the rights of the Southern States.

By some incomprehensible delusion many Northern people have come to believe that in some manner they are chargeable with complicity in what they are pleased to consider the sin of slavery, and for which, as existing in the Southern States, they are just as much responsible as they are for the same relation existing in the heart of Africa. This morbid sensitiveness has been ministered to by religious and political agitators for the purpose of increasing their own importance and advancing their own interests, and the natural consequences have followed: outbursts of mob violence and of political action against the owners of slaves.

While the prejudice thus existing in the Northern mind is latent, not exhibiting itself in action, we may lament its existence and the estrangement it produces; but we trust in such case, as in all others of similar character, that a better knowledge of the subject will remove the prejudice. Already the awakened attention of the Northern people gives promise that the miserable agitators will be stript of their power over the public mind, and that reason and a correct sense of duty and of justice will ultimately prevail, and dispose our Northern fellow-citizens to fulfill all the duties they owe to us as citizens of the same country, living under the same Constitution, inheritors of the same blood, and sharers in the same destiny.

So far as the prejudice complained of has manifested *itself in legislative action*, the complaint is not merely that such action violates the Constitution of the United States, because our own State has passed acts which have been declared by our own judicial tribunals and by the Supreme Court of the United States to be violations of the Constitution of the United States; and those familiar with the judicial history of the country know that many, if not all the States of the Union, have at times passed laws which have been held to be inconsistent with that Constitution. Some of these acts related to land titles, some to contracts, some affected commerce with foreign nations and between the States; but all such laws as they were, not produced by any sectional feeling, were left to be decided upon by the tribunals of the country with an ultimate appeal to the Supreme Court of the United States, the final arbiter on all cases arising under the Constitution. Such cases produced no excitement in the public mind, and all confidence was reposed in that elevated tribunal that it would vindicate the supremacy of the Constitution.

There is no reason to apprehend that that tribunal would shrink from declaring the class of enactments of which we are now treating, which are aimed against the rights of slaveholders, repugnant to the Constitution, and therefore void. There is, therefore, an obvious remedy for the grievances arising out of this unconstitutional legislation, and that, too, a remedy provided by the Constitution itself for an evil foreseen when it was made. Moreover, there are indications of a returning sense of justice in the Northern States, from which we may hope for the voluntary repeal of these obnoxious enactments.

Upon the subject of the violent interference by mobs with the execution of the fugitive slave law, and the forcible abduction of slaves when with their owners in the Northern States, it is proper to observe there reigns throughout this land a spirit of insubordination to law that is probably unequaled in any other civilized country on the globe. While this is true, it is a fact of which we can still be proud that the judicial tribunals of the Federal Government have not failed in any case brought before them to maintain the rights of Southern citizens, and to punish the violators of those rights.

When Southern soil is invaded by Northern madmen for the purpose of overthrowing the institution of slavery, they meet their death by the law, and that is the end of their scheme.

The fact that a sectional party avowing opposition to the admission of slavery into the Territories of the United States has been organized, and has for the present obtained possession of the Government, is to be deeply regretted, because it opens before us all the dangers against which the Father of his Country so earnestly warned us.

But the history of our country for a few years back instructs us in the truth that politcal parties, even when coming into power with overwhelming popularity, soon melt away under the influence of internal jealousies and disappointments and the attacks of vigilant opponents.

When a party comes into power upon the basis of a single question of policy, there is soon found the truth, that government can not be administered upon a single idea, and its supporters become divided upon the questions which affect their own interests.

There is every reason to hope that the party which has just assumed the reins of government will feel that the vast interests entrusted to their management are of much greater importance than the question whether slaves shall or shall not be admitted into all the territory that now belongs to the United States. There is reason to hope that when the masses of that party understand that the admission of slaves into a Territory does not increase the number of slaves in being, they will be prepared to make any arrangement with their Southern brethren which shall assure to them equal rights in the common Territories.

Under the state of facts now existing it would seem almost needless to speak of the propriety of the State of Missouri engaging in a revolution against the Federal Government. Secession is the word commonly employed when the revolution now in progress is mentioned; but as the Constitution of the United States recognizes no power in any State to destroy the Government, the word "secession," when used in this paper is to be understood as equivalent to revolution.

To involve Missouri in revolution, under present circumstances, is certainly not demanded by the magnitude of the grievances of which we complain, nor by the certainty that they cannot be otherwise and more peacefully remedied, nor by the hope that they would be remedied or even diminished by such revolution.

The position of Missouri in relation to the adjacent States which would continue in the Union, would necessarily expose her, if she became a member of a new confederacy, to utter destruction whenever any rupture might take place between the different republics. In a military aspect, secession and a connection with a Southern confederacy is annihilation for our State.

Many of our largest interests would perish under a system of free trade.

Emigration to the State must cease. No Southern man owning slaves would come to the frontier State; no Northern man would come to this foreign country avowedly hostile to his native land.

Our slave interest would be destroyed, because we would have no better right to recapture a slave found in a free State than we now have in Canada. The owners of slaves must either remove with them to the South or sell them, and so we would, in a few years, exhibit the spectacle of a State breaking up its most advantageous and important relations to the old Union, in order to enter into a slaveholding confederacy and having itself no slaves.

The thought of revolution by Missouri, under present circumstances, is not, we believe, seriously entertained by any member of this Convention.

But what is now the true position for Missouri to assume? Evidently that of a State whose interests are bound up in the maintenance of the Union, and whose kind feelings and strong sympathies are with the people of the Southern States, with whom we are connected by ties of friendship and of blood. We want the peace and harmony of the country restored, and we want them with us. To go with them as they are now, to leave the Government our fathers builded, to blot out the star of Missouri from the constellation of the Union, is to ruin ourselves without doing them any good. We cannot now follow them; we cannot now give up the Union; yet we will do all in our power to induce them to take their places with us in the family from which they have attempted to separate themselves. For this purpose we will not only recommend a compromise with which they ought to be satisfied, but we will unite in the endeavor to procure an assemblage of the whole family of States in order that in a General Convention such amendments to the Constitution may be agreed upon as shall permanently restore harmony to the whole nation.

While attempts are being made to heal the present divisions, it is a matter of the highest importance that there should occur no military conflict between the Federal Government and the government of any of the seceded States. Such conflict will certainly produce a high state of exasperation and very probably render abortive all attempts to adjust the matters of difference.

While it is admitted that every government must possess the power to execute its own laws, and that the Government of the United States is no exception to this necessary and universal rule, still, in a case such as that with which we are now dealing, it is all-important that those in authority should remember that such power is not given to be exercised for the destruction of the Government, under the guise of maintaining its authority. The question of exercising such power is to be determined with a view to all existing circumstances; and while the power itself cannot be abandoned, the greatest patience and forbearance may often be required in order to prevent evils in the highest degree dangerous to the peace of the nation.

Placed as Missouri is in the very centre of the Confederacy, united to all its parts and interested in the prosperity of each part, she would speak to the Government of the United States and to the Governments of the seceding States, not in the language of menace but of kindness, not threatening but entreating; and with this feeling she would ask all concerned in the Governments to avoid all military collisions which would without doubt produce uncontrollable excitement, and very probably ruinous civil war. Civil war among the American people, the citizens of the freest nation of the world, blest of God, envied of man, would be a spectacle at which Humanity would shudder, over which Freedom would weep, and from which Christianity affrighted would flee away.

If it be the glorious mission of Missouri to aid in arresting the progress of revolution and in restoring peace and prosperity to the country; if she shall be instrumental in binding together again the hearts of the American people, and thus restoring the union of affection as well as the union of political and individual interest, she will but occupy the position for which nature designed her by giving her a central position, and endowing her with all the elements of wealth and power. And why should she not?—she was brought forth in a storm and cradled in a compromise. She can resist the one and recommend the other.

In order to express her opinion and wishes, the following resolutions are submitted:

1. *Resolved,* That at present there is no adequate cause to impel Missouri to dissolve her connection with the Federal Union, but on the contrary she will labor for such an adjustment of existing troubles as will secure the peace, as well as the rights and equality of all the States.

2. *Resolved,* That the people of this State are devotedly attached to the institutions of our country and earnestly desire that by a fair and amicable adjustment all the causes of disagreement that at present unfortunately distract us as a people may be removed, to the end that our Union may be preserved and perpetuated, and peace and harmony be restored between the North and the South.

3. *Resolved,* That the people of this State deem the amendments to the Constitution of the United States, proposed by the Hon. John J. Crittenden of Kentucky, which the extension of the same to the territory hereafter to be acquired by treaty or otherwise, a basis of adjustment which will successfully remove the causes of difference forever from the arena of national politics.

4. *Resolved,* That the people of Missouri believe the peace and quiet of the country will be promoted by a Convention to propose amendments to the Constitution of the United States, and this Convention therefore urges the Legislature of this State to take the proper steps for calling such a Convention in pursuance of the fifth article of the Constitution, and for providing by law for an election of one delegate to such Convention from each electoral district in this State.

5. *Resolved,* That in the opinion of this Convention, the employment of military force by the Federal Government to coerce the submission of the seceding States, or the employment of military force by the seceding States to assail the Government of the United States, will inevitably plunge this country into civil war, and thereby entirely extinguish all hope of an amicable settlement of the

fearful issues now pending before the country; we therefore earnestly entreat, as well the Federal Government as the seceding States, to withhold and stay the arm of military power, and on no pretense whatever bring upon the nation the horrors of civil war.

6. *Resolved,* That when this Convention adjourns its session in the city of St. Louis, it will adjourn to meet in the hall of the House of Representatives at Jefferson city, on the third Monday of December, 1861.

7. *Resolved,* That a Committee of —— be elected by this Convention, a majority of which shall have power to call this Convention together at such time prior to the third Monday in December, and at such place as they may think the public exigencies require, and the survivors or survivor of said Committee shall have power to fill any vacancies that may happen in said Committee by death, resignation, or otherwise, during the recess of this Convention.

GAMBLE, *Chairman.*

Mr. Redd, from same Committee gave notice that he would, on Monday next, present a minority report, and asked leave for that purpose; and also, to have said report printed, which was granted.

On motion of Mr. Shackelford, of Howard, the Convention adjourned.

NINTH DAY,

MONDAY, MARCH 11, 1861.

The Convention met pursuant to adjournment, and was opened with prayer by the Chaplain, Rev. Mr. Monroe.

The Journal of the proceedings of Saturday was read and approved.

Mr. Birch offered the following, which was read:

Whereas, An article appeared in the Missouri Republican of this morning, of which the following is a copy:

"A Plot to precipitate Missouri into Disunion exposed.

"*Mr. Editor*:—Within the last four days, a prominent gentleman of this city, who was a candidate for this Convention on the Constitutional ticket, was waited upon by several gentlemen, who stated that the Convention which is now in session was unsound, and that it was necessary to take measures to have this State secede; and to bring about that result, the gentleman to whom I allude, was invited to meet his visitors on a certain designated evening and at an appointed place, to take the preliminary steps to force the State into secession.

"The gentleman above referred to answered his visitors by informing them that they had mistaken his views, that he was not a secessionist, and was opposed to secession. His visitors charged him with changing his grounds which charge was denied, and the matter was cut short by the gentlemen being distinctly and emphatically informed that if they held their meeting there they would be exposed. The meeting was not held at the place indicated, and it is not known whether it was held at any other place or not.

"The gentleman who gave me the foregoing information, is the same who was waited upon by the party of secessionists; and although I have not attempted to give his language, I give the substance of the facts he told me, and I doubt not they can be substantiated if need be; my informant is a man of truth and will not eat his words."

Be it therefore Resolved, That a committee be appointed to specifically enquire into the facts and circumstances connected with so daring a conspiracy as the one therein foreshadowed; and that the said committee have the power to send for persons and papers, and to sit during the session of this Convention.

Mr. Knott moved to lay the resolution on the table, which motion was decided in the negative by the following vote, the ayes and noes having been called for by Mr. Birch:

Ayes.—Messrs. Allen, Bartlett, Bass, Bast, Bogy, Brown, Cayce, Collier, Comingo, Crawford, Donnell, Frayser, Flood, Givens, Gorin, Harbin, Hatcher, Hill, Hough, Hudgins, Kidd, Knott, Matson, Noell, Redd, Sayre, Shackelford of Howard, Sheeley, Waller and Watkins —30.

Noes.—Messrs. Birch, Breckinridge, Broadhead, Bridge, Bush, Calhoun, Douglass, Drake, Dunn, Eitzen, Foster, Gantt, Gravely, Henderson, Hendrick, Hitchcock, Holmes, Holt, How, Howell, Irwin, Isbell, Jackson, Jamison, Johnson, Leeper, Linton, Long, Marmaduke, Marvin, Maupin, McClurg, McCormack, McDowell, McFerran, Meyer, Morrow, Moss, Norton Orr, Phillips, Ray, Ritchey, Ross, Rowland' Scott, Smith of Linn, Smith of St Louis, Turner, Wilson, Woodson, Woolfolk, Wright, Vanbuskirk, Zimmerman and Mr. President—56.

Absent on Leave: Messrs. Chenault, Doniphan, Gamble, Hall of Buchanan, Hall of Randolph, Pomeroy, Sawyer and Tindall.

Absent: Messrs. Rankin, Stewart and Welch.

Sick: Mr. Pipkin.

The resolution was then agreed to by the following vote, the ayes and noes having been demanded:

Ayes.—Messrs. Birch, Breckinridge, Broadhead, Bridge, Bush, Calhoun, Douglass, Drake, Eitzen, Foster, Gantt, Gravely, Henderson, Hendrick, Hitchcock, Holmes, Holt, How, Irwin, Isbell, Jackson, Jamison, Johnson, Leeper, Linton, Long, Marmaduke, Marvin Maupin, McClurg, McCormack, McDowell, McFerran, Meyer, Morrow, Moss, Norton, Orr, Phillips, Ray, Ritchey, Ross, Rowland, Scott, Smith ot Linn, Smith of St. Louis, Turner, Woodson, Wright, Vanbuskirk, Zimmerman and Mr. President—52.

Noes.—Messrs. Allen, Bartlett, Bass, Bast, Bogy, Brown, Cayce, Collier, Comingo, Crawford, Donnell, Dunn, Frayser, Flood, Givens, Gorin, Harbin, Hatcher, Hill, Hough, Howell, Hudgins, Kidd, Knott, Matson, Noel, Sayre, Shackelford of Howard, Sheeley and Waller—30

Absent on Leave: Same as before.

Absent: Messrs. Rankin, Shackelford of St. Louis, Stewart, Welch and Woolfolk.

The President appointed Messrs. Birch, Zimmerman and Drake on said committee.

The Convention proceeded to the consideration of the special order for the day, viz: the report of the Committee on Federal Relations when

Mr. Redd, from said Committee presented the following Minority Report:

Minority Report of the Committee on Federal Relations:

The undersigned, members of the Committee on Federal Relations, being unable to agree to the report presented by the committee, desire to present for the consideration of the Convention the views that they entertain, and that they believe the people of Missouri entertain in relation to the causes that have led to the present alarming condition of our beloved Union, and the course that, if pursued, would most likely lead to an amicable adjustment of the issues involved in the present crisis, preserve the Union from further disintegration, and restore peace and harmony to our divided and distracted country.

Within the lifetime of many now living, our Federal Government, the best that the wisdom of man ever devised, was created and put in successful operation; its first President was inaugurated in March, 1789, and from that time through a long series of years it continued to increase in territory and population, in wealth and power, with a rapidity hitherto unparalled in the history of nations, until twenty sovereign States were admitted as members of the Union, formed by the original thirteen; and until a comparatively recent period these States were all one people, one in sympathy, one in fraternal feeling, one in patriotic devotion to that common Union, of which all were proud. How is it now? Fraternal feeling has fled; a spirit of bitter and determined hostility has taken its place; State stands arrayed against State and section against section, arming for a deadly conflict; seven of the States have withdrawn from the Union that their fathers made, and made a Union of their own, and a federal government of their own; that government, with one of the most clear-headed and sagacions statesmen of the age at its head, is organized, in full operation, exercising all the powers of sovereignty, and prepared to defend its sovereignty by military power.

Other States, alarmed for the safety of their slave institutions, are preparing to follow their example; the din of preparation for civil strife is heard on every hand, and that once glorious Union, so dear to the heart of every American patriot, is now in the progress of its dissolution.

There is cause for all this; a free people capable of self-government do not destroy institutions of which they were once so proud, and incur all the risks of civil strife, without some adequate cause; all experience demonstrates that mankind are more disposed to bear with great and pressing evils, than to resort to revolution with all its attendant horrors.

It is our duty to examine into the causes that have environed the Union with perils and threatened its utter destruction, and, if possible, devise a plan to save it from further disintegration. When we look back over the history of our country, we see arising in the Northern States an anti-slavery party, whose sole cohesive principle was a bitter hostility to the slave institutions of the Southern States. At first that party was weak, its members few, and scattered abroad, and considered by the Northern people themselves as mischievous fanatics: it continued gradually, but steadily, to increase, until political parties began to court its aid; from this time it progressed rapidly in numbers, and increased in its virulence and hatred to Southern slave institutions and to slave holders. Political demagogues, to promote their own selfish ends, pandered to its prejudices from the political rostrum. Sensation preachers, to increase their own importance, Sabbath after Sabbath, proclaimed its incendiary doctrines from the pulpit, instead of preaching peace on earth and good-will among men. It seized on the literature of the North and corrupted it in all its channels.

Books written to inculcate its destructive heresies were introduced into its Sabbath schools, common schools and institutions of learning of higher grade.

A large portion of the Northern press, literary, religious and political, teemed with articles misrepresenting and denouncing Southern institutions and Southern men.

Nourished and fostered by these means, this anti-slavery party obtained the control of the governments of the free States, and as those States came under their control they violated the compact that united them to their sister States of the South. By that compact, they had covenanted that a fugitive slave found within their borders should be delivered up upon demand of his master. They violated that compact,

1st. By failing to enact laws providing for his delivery.

2d. By refusing the master aid and permitting their lawless citizens to deprive him of his property by mob violence.

3d. When Congress interposed for his relief by the enactment of the fugitive slave law, they trampled that law under foot, and nullified it by deliberate State legislation.

By the compact that united the Northern States to their Southern sisters, they covenanted that they, upon demand made, would deliver up for trial any fugitive from justice charged (by indictment) with treason, felony or other crime.

They have willfully and deliberately violated this covenant. They have (without passing laws to restrain them) permitted their citizens to invade the soil of the Southern States, steal the slaves, and incite them to insurrection; and when the felon has been indicted and demanded, they have refused to give him up, and, to add insult to injury, they have justified the act by enunciating a proposition that strikes at the foundation of slave institutions, that as man cannot hold property in man, therefore slave stealing is no crime; and while there has been hitherto no just ground of complaint against the Federal Government, that Government has been powerless to remedy the evil.

This anti-slavery party, after having divided church organizations and destroyed the noble old Whig and the gallant young American party, has upon their ruins erected (in disregard of the warning voice of the Father of his Country) a purely sectional party called the Republican party.

We do not desire to do that party injustice. It should be judged as all other parties are judged, by its platform and the principles enunciated by its representative men, and upon the enunciation of which the party elevates them to power.

That party through its chosen leader proclaimed the dangerous and destructive heresies that our Federal Government cannot continue to exist as our fathers made it, part slave and part free; that in that condition it is a house divided against itself and cannot stand; that it must become all one or all the other; that an irrepressible conflict is progressing between freedom and slavery, and that it must continue until the public mind can rest satisfied in the belief that slavery is in the process of extinction; that hereafter the slave property of Southern men shall be taken from them by Congressional legislation, if they take it with them into the Territories, the common property of all the States.

The free States, deaf to the earnest remonstances of their Southern sisters, regardless of the warning voice of a people jealous of their rights, indorsed the doctrines of that party and elevated its leader to the Presidential chair by large majorities in all the free States, except one, thus placing the Federal Government, to which the South had hitherto looked as its friend, in the hands of its enemies.

These are the causes that have dissolved the Union, and have driven State after State beyond its pale; and these are the causes that will drive the remaining slave States out of the Union, unless these sectional issues can be settled upon some basis consistent with security to their slave institutions.

This Convention was called for no ordinary purpose, it has assembled upon no ordinary occasion: while the people of Missouri will never surrender their slave institutions at the bidding of any earthly power, they ardently desire the preservation of the Union and the preservation of their slave institutions in the Union; this is the high mission to which this Convention is called; this can be accomplished only by action, *prompt decided* action. Delay is dangerous; we know not, no human sagacity can penetrate the dark vail that hides the future and tell us at what hour the country may be aroused from its repose by the clash of arms. The plan proposed by the Committee is, that this Convention request the Legislature to pass an act calling on Congress to call a National Convention, to propose a basis of settlement in the shape of amendments to the Constitution, to be afterwards submitted to the States for ratification or rejection. This amounts to doing nothing, literally nothing; if the plan was practicable, it would require eighteen months or two years to carry it into effect. But is it practicable, is there a reasonable ground to hope that it would save the Union? Let us see: Congress can only act when called on by two thirds of the States; Congress takes the position that the seceded States are yet in the Union. On this basis it would require the action of the Legislatures of twenty-three States uniting in the call. Several of these Legislatures have already taken their position against any amendments, consequently would not unite in the call, and the plan would fall still-born.

But even if such a Convention should assemble, how would matters stand? Eight slave States (if they remained in the Union, which is exceedingly doubtful) would go into convention with nineteen free States, and take such amendments as those States, controlled by an anti-slavery party, might be disposed to grant.

The preservation of the Union, in the opinion of the minority, should be the earnest desire not only of every American patriot but also of every friend of civil liberty throughout the habitable globe; that this may be done is the earnest prayer of every American mother throughout this great Republic; that it shall be preserved is the fixed determination of a large majority of the citizens of the border slave States whose citizens have ever been not only loyal to the Constitution and the Union, but also among the foremost in times past, when their country was in danger, to peril their lives to uphold her institutions. These States by assuming the position of mediators between the hostile sections, and taking a decided position, and proclaiming to those sectional parties who are now arming for fraternal strife, that they shall keep the peace—these States by meeting each other in convention, and agreeing on measures of compromise and adjustment, founded on the principles of equal rights and justice to all, and by firmly, yet in a spirit of fraternal kindness, insisting upon the compromises so agreed upon as the basis on which all irritating differences shall be settled, can, in the opinion of the undersigned, be the means of preserving the Union, reconstructing it upon a permanent basis, reconciling conflicting interests, and restoring peace and tranquility to the country.

Resolved, by the People of the State of Missouri, in Convention assembled:

1. That the State of Missouri invites the States of Virginia, North Carolina, Maryland, Kentucky, Tennessee, Arkansas and Delaware, to send Commissioners to meet in Convention with Commissioners appointed by Missouri, at the city of Nashville, Tennessee, on the ——— day of ———, next, to agree upon a basis of settlement, by way of constitutional amendments that will preserve the Union, and afford an adequate guarantee for the preservation of their slave institutions and the constitutional rights of their citizens, and to take such steps as they may deem necessary to have such amendments presented to the people of the free States for ratification or rejection.

2. That ——— be and they are hereby appointed Commissioners to represent the State of Missouri in said Convention.

3. That——is hereby appointed a Commissioner to the State of Virginia; ——— Commissioner to North Carolina; ——— Commissioner to Maryland; ——— Commissioner to Kentucky; ——— Commissioner to Tennessee; ——— Commissioner to Arkansas, and ——— Commissioner to Delaware; and said Commissioners are hereby authorized by the State of Missouri to present to the proper authorities of the said States, respectively, a copy of these resolutions, and to urge upon them the appointment of Commissioners to the Convention contemplated therein.

4. *Resolved,* That the Commissioners appointed to said Convention by Missouri are directed to present to said Convention for their consideration the resolutions commonly known as the Crittenden compromise measures, extending the provisions with reference to Territory south of the line, to after-acquired Territory, and to say, on behalf of Missouri, that those resolutionss, or any other basis of settlement upon which the border slave States can agree will be satisfactory to Missouri.

The people of the State of Missouri being satisfied that the plan proposed in these resolutions will (unless interrupted by civil strife) not only preserve the Union, but afford a fair prospect for a reconstruction by bringing back the seceded States; they, therefore, earnestly appeal to the General Government and the seceded States to stay the arm of military power and preserve the peace until the plan proposed can be fully tried. And, to enforce such appeal, they would state it as their settled conviction, that an attempt at coercion, under any pretext, would result in civil strife, and forever destroy all hope for the preservation or reconstruction of the Union.

JOHN T. REDD,
H. HOUGH.

Mr. Moss offered the following amendment to the report of the Committee :

Amend the fifth resolution by adding as follows, viz : *And further,* Believing that the fate of Missouri depends upon a peaceable adjustment of our present difficulties, she will never countenance or aid a seceding State in making war on the general Government, nor will she furnish men or money for the purpose of aiding the general Government in any attempts to coerce a seceding State.

Pending the consideration of the amendment, on motion of Mr. Stewart, the Convention adjourned until three o'clock P. M.

EVENING SESSION.

The Convention met pursuant to adjournment.

The Convention having under consideration the amendment offered by Mr. Moss, after discussion,

On motion of Mr. Doniphan, the amendment was laid on the table and ordered to be printed.

The President laid before the Convention the following communications, which were read and laid on the table.

HALL OF THE CONVENTION,
ST. LOUIS, March 11, 1861.

To the President of the Missouri Convention:

I beg leave to call the attention of the members of the Convention to the enclosed opinion of my legal adviser, and the law officers of this State, as to my duties, as Auditor of the State, in auditing and allowing the per diem and mileage of the members and officers of your body, under the provisions of an act entitled "An Act to provide for the calling a State Convention, approved January 21st, 1861."

I regret that I am unable, under the law, to issue warrants for the payment of members, &c. I will be happy at any time, when it suits the pleasure and convenience of the Convention, to audit the claims and issue certificates to the members, believing that the present General Assembly will soon pass an appropriation act for the pay of the Convention and its officers.

Very respectfully.
Your obedient servant,
WM. S. MOSELEY,
Aud. of Pub. Accounts of Mo.

ST. LOUIS, MO., March 11, 1861.

Hon. W. S. Moseley, Auditor of Public Accounts:

SIR:—In reply to inquiry as to your duties in relation to the accounts of members, officers and assistants of the Convention now in session, I would respectfully say that, in my opinion, as the act calling the Convention provides that their compensation shall be the same as now provided by law for members, officers and assistants of the House of Representatives, you are authorized to audit their accounts and issue certificates, as in other cases, where there has been no appropriation; but where the appropriation has been exhausted, or until an appropriation shall have been made you can not draw warrants in their favor for the amounts respectively due them.

Respectfully,
JAS. PROCTOR KNOTT.

On motion of Mr. DONIPHAN the Convention adjourned.

TENTH DAY,

TUESDAY, MARCH 12, 1861.

The Convention met pursuant to adjournment, and was opened with prayer by the Rev. Mr. Monroe.

The journal of the proceedings of yesterday was read and approved.

Mr. NORTON called up the amendments, offered by Mr. Moss, to the fifth resolution of the Committee on Federal Relations, and pending the consideration of which,

On motion of Mr. WELCH, the Convention adjourned until two o'clock P. M.

EVENING SESSION.

The Convention met pursuant to adjournment, and resumed the consideration of the amendments offered by Mr. Moss.

Mr. RITCHEY offered to amend the first line by adding the word "prosperity" in lieu of "fate," which amendment was rejected.

Also, the following: In the third line after the word "never," "while she stays in the Union," which was rejected.

Mr. DOUGLASS offered the following as a substitute for the amendment, which was rejected by the following vote, the ayes and noes having been called for by Mr. Douglass:

"And, entertaining these views, we hereby declare that Missouri will not countenance or aid a seceding State in making war on the Federal Government, nor will she countenance or aid the General Government in any attempt to coerce the submission of a seceding State by military force."

AYES—Messrs. Birch, Chenault, Doniphan, Donnell, Douglass, Drake, Dunn, Gamble, Givens, Gorin, Hatcher, Hough, Irwin, Knott, Marmaduke, Noell, Norton, Phillips, Ray, Redd, Sayre, Shackelford of St. Louis, Shackelford of Howard, Watkins and Mr. President—25.

NOES—Messrs. Allen, Bartlett, Bass, Bast, Bogy, Breckinridge, Broadhead, Bridge, Bush, Brown, Calhoun, Cayce, Comingo, Crawford, Eitzen, Frayser, Flood, Foster, Gantt, Gravely, Hall of Buchanan, Harbin, Henderson, Hendrick, Hill, Hitchcock, Holmes, Holt, How, Howell, Hudgins, Isbell, Jackson, Jamison, Johnson, Kidd, Leeper, Linton, Long, Marvin, Matson, Maupin, McClurg, McCormack, McDowell, McFerran, Meyer, Morrow, Moss, Orr, Pomeroy, Rankin, Ritchey, Rowland, Sawyer, Scott, Sheeley, Smith of St. Louis, Smith of Linn, Stewart, Tindall, Turner, Waller, Woodson, Woolfolk Wright, Vanbuskirk and Zimmerman—68.

Absent—Messrs. Collier, Hall of Randolph, Ross, Welch and Wilson.

Sick—Mr. Pipkin.

Mr. Howell offered the following amendment to the amendment of Mr. Moss:

Amend the amendment by striking out the word "fate" in first line, and inserting the word "welfare," in the place thereof; and by striking out the word "never," in the third line, and inserting the word "not" in place of the same, pending which,

On motion of Mr. Hudgins, the Convention adjourned.

ELEVENTH DAY,

WEDNESDAY, MARCH 13, 1861.

The Convention met pursuant to adjournment, and was opened with prayer by the Rev. Mr. Monroe.

The journal of the proceedings was read and approved.

Mr. Moss accepted the amendment offered by Mr. Howell, on yesterday, to his amendment to the fifth resolution of the Committee on Federal Relations.

Mr. Birch, from the committee appointed under a resolution of the Convention, adopted, to inquire into the conspiracy foreshadowed in the article which appeared in the *Republican* of the 11th inst., on leave of the Convention made the following report:

Report of Committee on Conspiracy:

The committee appointed under a resolution of the Convention, adopted on the 11th instant, to inquire into the conspiracy which was deemed to be foreshadowed in a communication that had appeared in the "Republican," of that morning, report herewith a communication from Louis V. Bogy and from William J. Chester, and respectfully submit themselves to such further directions (if any) as the Convention may see fit to give them.

If, however, it shall be believed from these statements that any purpose which may have existed to wrest the State from its legitimate relations to the Federal Government, by illegal, perverse, or revolutionary agencies, has been abandoned in deference to the unfaltering and overwhelming public sentiment with which it has been confronted, it is then further respectfully submitted whether the interests of the public require that any further steps be taken, or any further investigations be prosecuted, under the resolution of the Convention.

JAMES H. BIRCH,
CHARLES DRAKE,
GEORGE W. ZIMMERMAN.
Committee.

St. Louis, March 12, 1861.

Messrs. Birch, Zimmerman and Drake, Committee—*Present:*

Gentlemen: I was summoned, yesterday, to appear before you as a committee, appointed by the State Convention, now in session in this city, to testify to certain facts supposed to be within my knowledge.

In appearing before you, I wish it distinctly understood that I do so voluntarily, as I deny both the power of the Convention, or that of the committee appointed by it, to summon any citizen of the State to appear before it as a witness; this power belongs to the Grand Juries of the country, and is a power used to ferret out crime by them; but entertaining as I do the greatest respect for the Convention, as a body, called into existence under a law of the State, and also for the members thereof personally, I waive what I consider my right as a citizen, and accordingly appear.

The publication which appeared in the "Missouri Republican" over the signature of "E," is not substantially correct as containing the substance of a conversation between me and the person who is supposed to be author of it.

I have read the resolutions of the Convention and the speech of the mover of them, and I must confess that I am at a loss to understand how either could justify the charge made, based on this communication. In justice, however, to the persons who called on me, and who are charged with the crime of treason, I must say that I know nothing whatever to sustain the charge. Certain gentlemen of standing in this city, and who are my personal and political friends, did call on me last week, with a paper which was very well written, setting forth that the time had come—in view of the fact, that Virginia had or would soon join the Southern Confederacy, and carry with her Kentucky and the other border States—for the friends of Southern rights to come together, for consultation, and with a view of agreeing on some line of policy required by the exigencies of the times. The conversation between these gentlemen and myself was of a desultory and general character, and it is with hesitation that I consent to trouble you with it, for it really amounts to nothing beyond a legitimate purpose of party organization, in which there was nothing improper or wrong, and only with a view of making their action efficient. Although I dissented from them as to the propriety of their course, yet my objection was not because there was anything wrong or improper in the proposition, but because I thought the movement was calculated to do harm, in view of the efforts now being made to unite the Democratic and Bell parties on some common conservative ground, to defeat the Black Republicans at the next April election.

I furthermore explained to them, that according to my understanding of the interests of Missouri, with twenty millions of State bonds, and six to eight millions of city and county bonds on the markets of the world, and the great interests of the mercantile, manufacturing, and industrial portion of our people, we should move in a matter of this magnitude with the greatest caution and prudence. Some of the gentlemen present charging me with inconsistency, and as a blind follower of the Missouri Republican, I replied that the charge was not true; that I was a Southern man, and always had been, and was as much opposed to Black Republicanism as anybody could possibly be; but, looking upon their effort as calculated to bring defeat upon us again at the next April election, I was opposed to their movement, and would do all in my power to defeat them in their purpose. Much more might be repeated of the same nature, but the matter is too trivial to engage the attention of anybody. I certainly did not understand that any proposition was made to me, looking like treason or conspiracy, or that can by any distortion of language or confusion of ideas amount to the highest crime known to civilized nations. The subject was fair and legitimate as a purpose for party organization by gentlemen of good standing, and as such I understood it and opposed it for the reasons already given. My object in speaking of this occurrence to other parties was to get them to unite with me to prevent the proposed organization, believing, if successful, it would again lead to our defeat. No one regrets this occurrence more than I do, as it is calculated to place other parties as well as myself in an unpleasant position. The facts do not, in the least, justify the action of the Convention, the speech of the mover of the resolutions, or the comments of one of the city papers.

Repeating my sentiments of respect for the Convention, I am, &c.,

LEWIS V. BOGY.

P. S. As the action of the Convention in relation to this matter has been the occasion of a good deal of talk in this city to my prejudice, I have concluded to send a copy of this paper to the "Missouri Republican" for publication tomorrow morning, so that the matter may be set right before this community at once.

LEWIS. V. BOGY,

ST. LOUIS, March 13, 1861.

To Messrs. Birch, Drake and Zimmerman, Committee of the Convention, &c.:

GENTLEMEN: Having appeared before you in compliance with your subpœna, I proceed to make such a statement as you have requested of me, omitting the name of the person to whom I shall allude, and also declining to swear to my statement at the present time; but will not refuse to surrender the name of the person, or to swear to what I shall here state, if required to do so by an order of the Convention.

On the second or third day of the session of your Convention in this place, I met with a gentleman residing in one of the interior counties of the State, and whom I had known as a friend and admirer of Mr. Yancey of Alabama, and, like that gentleman, a thorough and undisguised secessionist. He told me that your Convention was too conservative, and that, in case you passed no secession ordinance, there would be a concert of action agreed upon, throughout the State, whereby the State would nevertheless be got out of the Union. He further said that there were at that time delegates or committees in the city from nearly all the principal towns in the State, and that he understood there was to be a meeting of them for the purpose of agreeing upon a definite course and concert of action. He mentioned especially the name of a distinguished citizen of this State who had encouraged the movement, but whose name, for the reason already stated, I decline to give at present.

Two days after this, I met the same gentleman and the conversation was renewed. He then said that he believed the plan above stated had been abandoned, as it would be useless to attempt to carry it out at present, against what seemed to be the strong Union sentiment that had taken hold of the public mind.

In this statement I have given but the substance of the conversations alluded to, and do not pretend to have stated the words, but the substantial facts. Very respectfully,

WM. J. CHESTER.

The report was read and laid on the table, and ordered to be printed.

Mr. WELCH moved that the Convention adjourn until three o'clock P. M., which motion was decided in the negative.

On motion of Mr. DUNN the Convention adjourned until two o'clock P. M.

EVENING SESSION.

The Convention met pursuant to adjournment, and resumed the consideration of the pending amendment.

Mr. **Gantt** moved that, until otherwise ordered by the Convention, the hour of adjournment be three o'clock P. M., which was adopted.

On motion of Mr. **Gamble** the Convention adjourned.

TWELFTH DAY,

THURSDAY, MARCH 14, 1861.

The Convention met pursuant to adjournment, and was opened with prayer by the Rev. Mr. Monroe.

The Journal of the proceedings of yesterday was read and approved.

Mr. **Gamble**, from the Committee on Federal Relations, presented the following, which was, by leave of the Convention, read, laid on the table, and ordered to be printed.

Whereas, It is probable that the Convention of the State of Virginia, now in session, will request a meeting of Delegates from the Border States, for the purpose of devising some plan for the adjustment of our National difficulties,—and, Whereas, The State of Missouri participates strongly in the desire for such adjustment, and, desiring to show respect for the wishes of Virginia, therefore, be it

Resolved, That this Convention will elect—— Delegates, whose duty it shall be to attend, at such time and place as may be designated by the Convention of the State of Virginia, for the meeting of Delegates from the Border States; and if there should assemble then and there Delegates duly accredited from a majority of the States invited to such conference, then the Delegates from this Convention shall enter into conference with them, and shall endeavor to devise a plan for the amicable and equitable adjustment of all matters in difference between the States of this Union. And the Delegates appointed under this resolution, shall report their proceedings, in such conference, and any plan that may there be agreed upon, to this Convention, for its approval or rejection.

The question before the Convention being the adoption of the amendment offered by Mr. Moss,

When the President laid before the Convention the following communication:

Office of the St. Louis Agricultural and Mechanical Association.
St. Louis, March 14, 1861.

Hon. Sterling Price,
President of the State Convention.

Sir: The Directors of the St. Louis Agricultural and Mechanical Association, would be pleased to present to each member of the Missouri State Convention, a copy of their Fifth Annual Report.

If acceptable to the Convention, said report will be sent to the Secretary of the Convention for delivery. Very respectfully,

CHAS. TODD, President.

On motion of Mr. **Broadhead**, the Convention adjourned.

THIRTEENTH DAY,

FRIDAY MORNING, March 15, 1861.

The Convention met, pursuant to adjournment, and was opened with prayer by the Rev. Mr. Monroe.

The Journal of the proceedings of yesterday was read and approved.

The question before the Convention being on the adoption of the amendment to the fifth resolution of the report of the Committee on Federal Relations,

Mr. **Gantt** moved that the Convention do adjourn until half past three o'clock this afternoon, which motion was decided in the negative.

On motion of Mr. **Wright**, the Convention adjourned until 3 o'clock, P. M.

EVENING SESSION.

The Convention met, pursuant to adjournment, and resumed the consideration of the question which was before them at the hour of adjournment.

On motion of Mr. **McCormack**, the Convention adjourned.

FOURTEENTH DAY,

SATURDAY MORNING, MARCH 16, 1861.

The Convention met, pursuant to adjournment, and was opened with prayer by Rev. Mr. Monroe.

The Journal of proceedings of yesterday was read and approved.

Mr. **Sayre** offered the following, as a substitute for the pending amendment of Mr. Moss:

Add to fifth resolution, as follows: "That the commencement of hostilities, by either, must necessarily be regarded by Missouri as unfriendly and offensive," which was disagreed to.

Mr. **Redd** offered the following amendment, to the pending amendment, which was disagreed to:

Amend the amendment by adding to the end thereof, after the word "State," the following words: "while any hope of such adjustment remains."

The question recurring upon agreeing to the amendment of Mr. Moss, it was decided in the negative by the following vote, the ayes and noes having been previously demanded:

Ayes—Messrs. Bass, Bast, Brown, Chenault, Collier, Comingo, Crawford, Donnell, Dunn, Frayser, Flood, Givens, Gorin, Harbin, Hatcher, Hill, Howell, Hudgins, Knott, Matson, Moss, Norton, Ray, Redd, Sawyer, Sayre, Sheeley, Waller, Watkins and Woodson—30.

Noes—Messrs. Allen, Bartlett, Birch, Bogy, Breckinridge, Broadhead, Bridge, Bush, Calhoun, Cayce, Douglass, Drake, Foster, Gamble, Gantt, Gravely, Hall of Buchanan, Hall of Randolph, Henderson, Hendrick, Hitchcock, Holmes, Holt, Hough, How, Irwin, Isbell, Jackson, Jamison, Johnson, Kidd, Leeper, Linton, Long, Marmaduke, Marvin, McClurg, McCormack, McDowell, McFerran, Meyer, Morrow, Noell, Orr, Phillips, Pomeroy, Rankin, Ritchey, Rowland, Scott, Shackelford of Howard, Shackelford of St. Louis, Smith of Linn, Smith of St. Louis, Tindall, Turner, Woolfolk, Wright, Vanbuskirk, Zimmerman and Mr. President—61.

Absent—Messrs. Doniphan, Eitzen, Maupin, Ross, Stewart, Welch and Wilson.

Sick—Mr. Pipkin.

Mr. **Phillips** offered the following resolution, which was adopted:

Resolved, That the thanks of this Convention are due, and are hereby tendered, to the officers of the St. Louis Agricultural and Mechanical Association for their kindness and liberality in presenting to the Convention the St. Louis Fair report, for 1860.

Mr. **Wright** moved the adoption of the first resolution of the report of the Committee on Federal Relations.

Convention adjourned.

FIFTEENTH DAY,

MONDAY, MARCH 18, 1861.

The Convention met, pursuant to adjournment, and was opened with prayer by the Rev. Mr. Monroe.

The Journal of the proceedings of Saturday last, was read and approved.

Mr. **Doniphan**, by leave of the Convention, was allowed to record his vote in the affirmative, on the adoption of the amendment to the fifth resolution, as offered by Mr. Moss.

The question before the Convention, being the adoption of the first resolution of the series reported by the Committee on Federal Relations, when,

On motion of Mr. **Welch**, the Convention adjourned until 2 o'clock, P. M.

EVENING SESSION.

The Convention met, pursuant to adjournment, and resumed the consideration of the question which was before them at the hour of adjournment, when,

On motion of Mr. **Watkins**, the Convention adjourned.

SIXTEENTH DAY,

TUESDAY MORNING, MARCH 19, 1861.

The Convention met, pursuant to adjournment, and was opened with prayer by the Rev. Mr. Monroe.

The Journal of the proceedings of yesterday was read and approved.

The Convention, on motion, proceeded to the consideration of the first resolution, when

Mr. Redd offered the following amendment:

Amend by striking out the word "cause," and inserting in the place thereof the word "motive," which was rejected.

The question recurring on the adoption of the resolution, it was decided in the affirmative, by the following vote, the ayes and noes having been demanded by Mr. Hough.

Ayes—Messrs. Allen, Bartlett, Bass, Birch, Bogy, Breckinridge, Broadhead, Bridge, Brown, Bush, Calhoun, Cayce, Collier, Comingo, Crawford, Doniphan, Donnell, Douglass, Drake, Dunn, Eitzen, Frayser, Flood, Foster, Gamble, Gantt, Givens, Gorin, Gravely, Hall of Buchanan, Hall of Randolph, Hatcher, Hendrick, Hitchcock, Holmes, Holt, Hough, How, Howell, Hudgins, Irwin, Isbell, Jackson, Jamison, Johnson, Kidd, Leeper, Linton, Long, Marmaduke, Marvin, Matson, Maupin, McClurg, McCormack, McDowell, McFerran, Meyer, Morrow, Moss, Noell, Norton, Orr, Phillips, Pomeroy, Ray, Rankin, Redd, Ritchey, Rowland, Sawyer, Sayre, Scott, Shackelford of Howard, Shackelford of St. Louis, Sheeley, Smith of Linn, Smith of St. Louis, Tindall, Turner, Waller, Watkins, Welch, Woodson, Woolfolk, Wright, Vanbuskirk, Zimmerman, and Mr. President—89.

No—Mr. Bast—1.

Absent—Messrs. Harbin, Henderson, Hill, Ross, Stewart and Wilson.

Sick—Messrs. Chenault, Knott and Pipkin.

Mr. Hough moved to amend the report of the committee, by adding to them, after the fifth resolution, the following as an additional resolution, which was laid on the table and ordered to be printed:

Resolved, That in order to secure our just rights in the Union under the Constitution, it is of the greatest importance that the public peace should be preserved, and it is the opinion of this Convention that it cannot be done if the General Government continues the occupation of the forts in the States which have seceded. We, therefore, request the President of the United States to withdraw the troops of the General Government from those forts.

The question being on the adoption of the second resolution of the report, it was decided in the affirmative by the following vote, the ayes and noes being called for by Mr. Bast.

Ayes.—Messrs. Allen, Bartlett, Bass, Bast, Birch, Bogy, Breckinridge, Broadhead, Bridge, Brown, Bush, Calhoun, Cayce, Collier, Comingo, Crawford, Doniphan, Donnell, Douglass, Drake, Dunn, Eitzen, Frayser, Flood, Foster, Gamble, Gannt, Givens, Gorin, Gravely, Hall of Buchanan, Hall of Randolph, Hatcher, Hendrick, Hitchcock, Holmes, Holt, Hough, How, Howell, Hudgins, Irwin, Isbell, Jackson, Jamison, Johnson, Kidd, Leeper, Linton, Long, Marvin, Marmaduke, Matson, Maupin, McClurg, McCormack, McDowell, McFerran, Meyer, Morrow, Moss, Noell, Norton, Orr, Phillips, Pomeroy, Rankin, Ray, Redd, Ritchey, Rowland, Sawyer, Sayre, Scott, Shackelford of Howard, Shackelford of St. Louis, Sheeley, Smith of Linn, Smith of St. Louis, Tindall, Turner, Waller, Watkins, Welch, Woodson, Woolfolk, Wright, Vanbuskirk, Zimmerman and Mr. President—90

Noes—None.

Absent—Messrs. Chenault, Harbin, Henderson, Hill, Ross, Stewart and Wilson.

Sick—Messrs. Knott and Pipkin.

Mr. Bast then offered the following:

Amend the third resolution of the Report of the Committee on Federal Relations by adding: "And in the event of a refusal by the Northern States of this Union to agree and consent to such an adjustment or settlement of the slavery question, and our sister States, Virginia, Maryland, Kentucky, Tennessee, North Carolina and Arkansas, determine to change the relation they now hold to the General Government, the State of Missouri will not hesitate to take a firm and decided stand in favor of her sister slave States of the South."

Which was decided in the negative by the following vote, the ayes and noes being demanded by Mr. Hatcher:

Ayes—Messrs. Bartlett, Bast, Brown, Cayce, Chenault, Collier, Comingo, Crawford, Frayser, Hatcher, Hill, Hough, Howell, Hudgins, Matson, Noell, Redd, Sawyer, Sheeley Waller, Watkins, Zimmerman and Mr. President—23.

Noes.—Messrs. Allen, Bass, Birch, Bogy, Breckinridge, Broadhead, Bridge, Bush, Calhoun, Doniphan, Donnell, Douglass, Drake, Dunn, Eitzen, Flood, Foster, Gamble, Gantt, Givens, Gorin, Gravely, Hall of Buchanan, Hall of Randolph, Henderson, Hendrick, Hitchcock, Holmes, Holt, How, Irwin, Isbell, Jackson, Jamison, Johnson, Kidd, Leeper, Linton, Long, Marmaduke, Marvin, Maupin, McClurg, McCormack, McDowell, McFerran, Meyer, Morrow, Moss, Norton, Orr, Phillips, Pomeroy, Rankin, Ray, Ritchey, Rowland, Sayre, Scott, Shackelford of Howard, Shackelford of St.

Louis, Smith of Linn, Smith of St. Louis, Tindall, Turner, Welch, Woodson, Woolfolk, Wright, and Vanbuskirk—70.

Absent—Messrs. Harbin, Ross, Stewart and Wilson.

Sick—Messrs. Knott and Pipkin.

Mr. Hall, of Buchanan, moved the previous question on the adoption of the third resolution.

Pending which, on motion of Mr. Breckinridge, the Convention adjourned.

SEVENTEENTH DAY,

WEDNESDAY MORNING, MARCH 20 1861.

The Convention met pursuant to adjournment, and was opened with prayer by the Rev. Mr. Monroe.

The journal of the proceedings was read and approved.

The motion of Mr. Hall, of Buchanan, for the previous question being the order, the question was: "Shall the main question be now put?" It was decided in the affirmative.

The question being on the adoption of the third resolution, it was adopted by the following vote, the ayes and noes having been called for by Mr. Hall, of Buchanan:

Ayes—Messrs. Allen, Bartlett, Bass, Bast, Birch, Bogy, Breckinridge, Bridge, Brown, Bush, Calhoun, Cayce, Chenault, Collier, Crawford, Doniphan, Donnell, Douglass, Drake, Dunn, Eitzen, Frayser, Flood, Foster, Gamble, Gantt, Givens, Gorin, Gravely, Hall of Buchanan, Hall of Randolph, Harbin, Hatcher, Henderson, Hendrick, Holmes, Holt, Hough, Howell, Hudgins, Irwin, Isbell, Jackson, Jamison, Kidd, Knott, Leeper, Long, Marmaduke, Marvin, Matson, Maupin, McClurg, McCormack, McDowell, McFerran, Meyer, Morrow, Moss, Noell, Norton, Orr, Phillips, Pomeroy, Rankin, Ray, Redd, Ritchey, Ross, Rowland, Sawyer, Sayre, Smith of Linn, Smith of St. Louis, Tindall, Turner, Waller, Watkins, Welch, Wilson, Woodson, Woolfolk, Vanbuskirk, Zimmerman and Mr. President—90.

Noes—Messrs Broadhead, Hill Hitchcock and How—4.

Absent—Messrs. Linton and Stewart.

Sick—Messrs. Comingo, Johnson and Pipkin.

Mr. Gamble offered the following as a substitute for the fourth resolution:

Resolved, That the people of Missouri believe the peace and quiet of the country will be promoted by a Convention, to propose amendments to the Constitution of the United States, and this Convention therefore urges the Legislature of this State, and of the other States, to take the proper steps for calling such a Convention, in pursuance of the fifth article of the Constitution; and for providing by law for an election by the people of such number of delegates as are to be sent to such Convention.

Mr. Gamble moved the previous question; the question being: "Shall the main question be now put?" It was decided in the affirmative.

The question then being on the adoption of the substitute to the fourth resolution, it was agreed to.

The question recurring upon the adoption of the fourth resolution as substituted, it was decided in the affirmative by the following vote, the ayes and noes having been demanded by Mr. Hall, of Buchanan:

Ayes—Messrs. Allen, Bartlett, Bast, Bass, Birch, Bogy, Breckinridge, Broadhead, Bridge, Bush, Calhoun, Cayce, Collier, Crawford, Donnell, Douglass, Drake, Dunn, Eitzen, Frayser, Flood, Foster, Gamble, Gantt, Givens, Gorin, Gravely, Hall of Buchanan, Hall of Randolph, Harbin, Henderson, Hendrick, Hitchcock, Holt, Holmes, How, Howell, Irwin, Isbell, Jackson, Jamison, Kidd, Knott, Leeper, Long, Marmaduke, Marvin, Matson, Maupin, McClurg, McCormack, McDowell, McFerran, Meyer, Morrow, Moss, Noell, Norton, Orr, Phillips, Pomeroy, Rankin, Ray, Ritchey, Ross, Rowland, Sawyer, Sayre, Scott, Shackelford of Howard, Shackelford of St. Louis, Sheeley, Smith of Linn, Smith of St. Louis, Tindall, Turner, Waller, Welch, Wilson, Woodson, Woolfolk, Wright, Vanbuskirk, Zimmerman and Mr. President—85.

Noes—Messrs. Brown, Chenault, Doniphan, Hatcher, Hill, Hough, Hudgins, Redd and Watkins—9.

Absent—Messrs. Linton and Stewart.

Sick—Messrs. Comingo, Johnson and Pipkin.

Mr. Donnell offered the following as an amendment to the fifth resolution:

Amend fifth resolution by adding as follows: "In view of the existing state of affairs, in order to avoid and more effectually prevent a conflict with the seceding States, which would forever close the door to compromise, we believe it to be the duty of the Executive to withdraw all government troops from their borders, and abstain from the collection of the revenue, thereby depriving them of any plea for bringing on a hostile engagement, with a view of engaging the sympathy and co-operation of the remaining slave States."

Mr. Hough withdrew the resolution offered by him on yesterday, which was laid on the table and ordered to be printed.

Mr. Hall, of Buchanan, offered the following as a substitute for the amendment of Mr. Donnell:

This Convention is not sufficiently acquainted with all the facts concerning the forts of the United States within the limits of the seceding States, as to be able to give an opinion with reference to the best course to be pursued by the Federal Government, but this Convention earnestly hopes that such action may be taken by the United States and the seceding States as will avoid all hostile collision between the United States and said seceding States.

Mr. Shackelford, of Howard, offered the following as an amendment to the pending substitute:

That it is the opinion of this Convention, that our cherished desire to preserve our country from the ruins of civil war and its devastating influence, and the restoration of harmony and fraternal feeling between the different sections, would be greatly promoted by the withdrawal of the Federal troops from such forts within the borders of the seceding States, when there is danger of a collision between the State and Federal troops, and we recommend that policy.

Mr. Hall called for the previous question, which was sustained, the question being: "Shall the main question be now put?" Decided in the affirmative by the following vote, the ayes and noes having been called for by Mr. Knott:

Ayes—Messrs. Allen, Bartlett, Bass, Birch, Bogy, Breckinridge, Broadhead, Bridge, Brown, Bush, Calhoun, Cayce, Chenault, Comingo, Doniphan, Donnell, Douglass, Drake, Dunn, Eitzen, Frayser, Flood, Foster, Gantt, Givens, Gorin, Hall of Buchanan, Hall of Randolph, Harbin, Hatcher, Henderson, Hitchcock, Holmes, Holt, How, Howell, Irwin, Isbell, Jackson, Jamison, Kidd, Leeper, Long, Marmaduke, Marvin, Matson, Maupin, McClurg, McCormack, McDowell, McFerran, Meyer, Morrow, Moss, Noell, Orr, Phillips, Rankin, Ray, Ritchey, Rowland, Scott, Shackelford of Howard, Shackelford of St. Louis, Smith of Linn, Smith of St. Louis, Tindall, Waller, Watkins, Wilson, Woodson, Woolfolk, Vanbuskirk, Zimmerman and Mr. President—77.

Noes—Messrs. Crawford, Gamble, Gravely, Henderson, Hill, How, Hudgins, Knott, Norton, Pomeroy, Redd, Ross, Sawyer, Turner and Welch—15.

Absent—Messrs. Sayre, Stewart and Wright.

Sick—Messrs. Bast, Johnson, Linton and Pipkin.

The question being on the adoption of the amendment to the substitute, it was agreed to by the following vote, the ayes and noes having been demanded by Mr. Moss:

Ayes—Messrs. Bartlett, Bass, Bogy, Brown, Cayce, Chenault, Collier, Comingo, Crawford, Doniphan, Donnell, Douglass, Drake, Dunn, Frayser, Flood, Gamble, Givens, Gorin, Gravely, Hall of Randolph, Harbin, Hatcher, Hill, Hough, Howell, Hudgins, Kidd, Knott, Marmaduke, Matson, McCormack, McDowell, Morrow, Moss, Noell, Norton, Phillips, Pomeroy, Rankin, Ray, Redd, Ritchey, Ross, Sawyer, Sayre, Shackelford of Howard, Sheeley, Waller, Watkins, Welch, Wilson, Woodson, Woolfolk, Vanbuskirk, Zimmerman and Mr. President—57.

Noes—Messrs. Allen, Birch, Breckinridge, Broadhead, Bridge, Bush, Calhoun, Eitzen, Foster, Gantt, Hall of Buchanan, Henderson, Hendrick; Hitchcock, Holmes, Holt, How, Irwin, Isbell, Jackson, Jamison, Leeper, Long, Marvin, Maupin, McClurg, McFerran, Meyer, Orr, Rowland, Scott, Shackelford of St. Louis, Smith of Linn, Smith of St. Louis, Tindall and Turner—36.

Absent—Messrs. Linton, Stewart and Wright.

Sick—Messrs. Bast, Johnson and Pipkin.

The question then being on the adoption of the substitute as amended, was decided in the affirmative by the following vote, the ayes and noes being demanded by Mr. Moss:

Ayes—Messrs. Allen, Bogy, Breckinridge, Broadhead, Bridge, Bush, Calhoun, Cayce, Douglass, Eitzen, Foster, Gamble, Gantt, Gravely, Hall of Buchanan, Hall of Randolph, Henderson, Hendrick, Hitchcock, Holmes, Holt, How, Irwin, Isbell, Jackson, Jamison, Kidd, Leeper, Long, Marmaduke, Marvin, Maupin, McClurg, McCormack, McDowell, McFerran, Meyer, Morrow, Noell, Orr, Phillips, Pomeroy, Rankin, Ross, Rowland, Scott, Shackelford of Howard, Shackelford of St. Louis, Smith of Linn, Turner, Wilson, Vanbuskirk, Zimmerman and Mr. President—54.

Noes—Messrs. Bartlett, Bass, Birch, Brown, Chenault, Collier, Comingo, Crawford, Doniphan, Donnell, Drake, Dunn, Frayser, Flood, Givens, Gorin, Harbin, Hatcher, Hill, Hough, Howell, Hudgins, Knott, Matson, Moss, Norton, Ray, Redd, Ritchey, Sawyer, Sayre, Sheeley, Smith of St. Louis, Tindall, Waller, Watkins, Welch, Woodson and Woolfolk—39.

Absent—Messrs. Linton, Stewart and Wright.

Sick—Messrs. Bast, Johnson and Pipkin.

Mr. Henderson moved that the Convention adjourn until 10 o'clock to-morrow morning, which motion was decided in the negative.

The question then being on the adoption of the amended substitute as an amendment to the original (fifth) resolution, it was decided in the affirmative by the following vote, the ayes and noes having been called for by Mr. Redd:

Ayes—Messrs. Bartlett, Bass, Bogy, Brown, Cayce, Chenault, Collier, Comingo, Crawford, Doniphan, Donnell, Douglass, Drake, Dunn, Flood, Givens, Gorin, Gravely, Harbin, Hatcher, Hill, Hough, Howell, Hudgins, Knott, Kidd, Marmaduke, Matson, McDowell, Morrow, Moss, Noell, Norton, Phillips, Rankin, Ray, Redd, Ritchey, Ross, Sawyer, Sayre, Scott, Shackelford of Howard, Sheeley, Watkins, Welch, Wilson, Woodson, Woolfolk, Vanbuskirk and Mr. President—51.

Noes—Messrs. Allen, Birch, Breckinridge, Broadhead, Bridge, Bush, Calhoun, Eitzen, Frayser, Foster, Gamble, Gantt, Hall of Buchanan, Hall of Randolph, Henderson, Hendrick, Hitchcock, Holmes, Holt, How, Irwin, Isbell, Jackson, Jamison, Johnson, Leeper, Long Marvin, Maupin, McClurg, McCormack, McFerran, Meyer, Orr, Pomeroy, Rowland, Shackelford of St. Louis, Smith of Linn, Smith of St. Louis, Tindall, Turner, Waller, Wright and Zimmerman—44.

Absent—Messrs. Linton and Stewart.

Sick—Messrs. Bast and Pipkin.

The question then recurring upon the adoption of the original fifth resolution, as amended, it was decided in the affirmative by the following vote, the ayes and noes having been demanded by Mr. Hough:

Ayes—Messrs. Allen, Bartlett, Bass, Bast, Birch, Bogy, Breckinridge, Brown, Calhoun, Cayce, Chenault, Collier, Comingo, Crawford, Doniphan, Donnell, Douglass, Drake, Dunn, Frayser, Flood, Foster, Gamble, Gantt, Givens, Gorin, Gravely, Hall of Buchanan, Hall of Randolph, Harbin, Hatcher, Henderson, Hendrick, Hill, Holmes, Holt, How, Howell, Hudgins, Irwin, Isbell, Jackson, Johnson, Jamison, Kidd, Knott, Leeper, Long, Marmaduke, Marvin, Matson, Maupin, McClurg, McCormack, McDowell, McFerran, Meyer, Morrow, Moss, Noell, Norton, Orr, Phillips, Rankin, Ray, Redd, Ritchey, Ross, Rowland, Sawyer, Sayre, Scott, Shackelford of Howard, Shackelford of St. Louis, Sheeley, Smith of Linn, Smith of St. Louis, Tindall, Turner, Waller, Watkins, Welch, Wilson, Woodson, Woolfolk, Wright, Vanbuskirk, Zimmerman and Mr. President—89.

Noes—Messrs. Broadhead, Bridge, Bush, Eitzen, Hitchcock and How—6.

Absent—Messrs. Linton and Stewart.

Sick—Messrs. Bast and Pipkin.

The Convention having proceeded to the consideration of the sixth resolution of the Report of the Committee on Federal Relations,

Mr. Hall, of Buchanan, called for the previous question, which was sustained. The question being: "Shall the main question be now put?" which was decided in the affirmative.

The question being on the adoption of the sixth resolution, it was decided in the affirmative by the following vote, the ayes and noes having been called for by Mr. Redd:

Ayes—Messrs. Allen, Bartlett, Bass, Birch, Bogy, Breckinridge, Broadhead, Bridge, Bush, Brown, Calhoun, Cayce, Collier, Douglass, Drake, Dunn, Eitzen. Frayser, Flood, Foster, Gamble, Gantt, Hall of Buchanan, Hall of Randolph, Hatcher, Henderson, Hendrick, Hill, Hitchcock, Holmes, Holt, Hough, How, Irwin, Isbell, Jackson, Jamison, Johnson, Kidd, Leeper, Long, Marmaduke, Marvin, Maupin, McClurg, McCormack, McFerran, Meyer, Morrow, Moss, Noell, Orr, Phillips, Pomeroy, Rankin, Ray, Ross, Rowland, Scott, Shackelford of Howard, Shackelford of St. Louis, Sheeley, Smith of Linn, Smith of St. Louis, Tindall, Turner, Waller, Watkins, Welch, Wilson, Woodson, Woolfolk, Wright, Vanbuskirk, Zimmerman and Mr. President—76.

Noes—Messrs. Chenault, Comingo, Crawford, Doniphan, Donnell, Givens, Gorin, Gravely, Harbin, Howell, Hudgins, Knott, Matson, McDowell, Norton, Redd, Ritchey, Sawyer and Sayre—19.

Absent—Messrs. Linton and Stewart.

Sick—Messrs. Bast and Pipkin.

Mr. Phillips moved that the Convention adjourn until to-morrow morning at ten o'clock, which was decided in the negative.

The Convention proceeded to the consideration of the seventh resolution of the report, when

Mr. Dunn offered the following amendment:

Amend the seventh resolution by filling the blank with "seven," and by adding after the word "seven," "one from each Congressional district," which was agreed to.

Mr. Hall, of Buchanan, offered the following as an additional amendment, which was also agreed to:

Strike out all after the word "and," and insert "in case any vacancy or vacancies shall happen in said committee during the recess of this Convention, by death, resignation, or otherwise, the remaining members or member of said Committee shall have power to fill the same."

Mr. Leeper moved the Convention now adjourn, which motion was decided in the negative.

Mr. Redd offered the following amendment to the pending resolution, which, on motion, was rejected:

Amend the seventh resolution by striking out the words "at such place as they may think the public exigencies require," and insert the words "at the city of Jefferson" in the place thereof.

Mr. **Birch** offered the following amendment:

Amend the seventh resolution by adding these words: "And if the said committee shall be of opinion hereafter, that there is no longer a necessity for the re-assembling of this Convention, and shall so declare by public communication, then and in that case the Convention shall not re-assemble on the third Monday in in December, 1861, but may be called together by a majority of said committee at any subsequent period."

Mr. **Knott** called for the ayes and noes on agreeing to the amendment of Mr. Birch.

Mr. **Wilson** offered the following substitute, which was accepted by Mr. Birch:

That by request of a majority of all the members of this Convention, in writing, delivered to said committee prior to said third Monday in December next, the said Committee shall on that day adjourn this Convention *sine die.*

Mr. **Shackelford**, of Howard, offered the following amendment to the accepted substitute of Mr. Wilson:

Provided, that if the Convention does not assemble on the third Monday in December, 1861, the Convention shall stand adjourned *sine die.*

Pending which, on motion of Mr. **Sheeley**, the Convention adjourned until to-morrow morning at ten o'clock.

EIGHTEENTH DAY,

THURSDAY, MARCH 21, 1861.

The Convention met pursuant to adjournment, and was opened with prayer by the Rev. Mr. Monroe.

The Journal of the proceedings of yesterday was read and approved.

Mr. **Henderson**, from the Committee heretofore appointed, to whom was referred the communication from the Hon. Luther J. Glenn, Commissioner from the State of Georgia to this Convention, made a report which was read.

Majority Report of Committee on Commissioner from Georgia.

Mr. President: Your Committee, to whom was referred the communication of the Hon. Luther J. Glenn, who appeared before the Convention as a Commissioner from Georgia, and having presented the ordinance of secession adopted by said State, was pleased to "invite the co-operation of Missouri with Georgia and the other seceding States in the formation of a Southern Confederacy," have had the same under consideration, and beg leave to report as follows:

The Committee sincerely regret that the commission under which Mr. Glenn was accredited to our State, was limited in its scope to a mere invitation to withdraw from the Government of our fathers, and form a distinct confederacy with the Gulf States. His mission seems to contemplate no plan of reconciliation—no measure of redress for alleged grievances, which being adopted would prove satisfactory to Georgia. Having chosen secession as the only remedy for existing ills, Georgia, through her Commissioner, supposes that similar interests, connected with the exigency precipitated upon us by the action of the Cotton States, will impel Missouri to withdraw from the Union and cast her lot with them.

The reasons assigned by Mr. Glenn for this action on the part of his State are: *First,* that the laws of Congress imposing duties on imports have been so framed as to discriminate very injuriously against Southern interests; *Second,* that a great sectional party, chiefly confined to the Northern States of the Union, whose leading idea is animosity to the institution of negro slavery, has gradually become so strong as to obtain the chief executive power of the nation, which is regarded as a present insult to the South; and, *Third,* that the ultimate object of this party is the total extinction of slavery in the States where it now exists by law, and the placing upon terms of *political* equality, at least, the white and black races; and to prevent evils of such magnitude, as well as to preserve the honor and safety of the South, Georgia and some of her sister States have deliberately resolved to withdraw from the Union, never to return.

Your Committee trust that they duly appreciate the gravity of the communication thus made to the people of Missouri.

Missouri entered the Union at the close of an angry contest on the subject of slavery. Her geographical position, the variety of the branches of industry to which her resources point, her past growth and future prospects, combine to demand that all her councils be taken in the spirit of sobriety and conciliation.

Your Committee waive for the moment the consideration of the moral aspect of what they conceive to be the heresy of secession, because if they entered, in the first instance, upon this examination, its results would preclude any inquiry into the material consequences of the action to which Missouri is solicited.

The peculiar position of our State is different from that of Georgia or any other of the cotton-growing States. If it be true, as represented, that the revenue laws of the country operate oppressively upon them—and this objection is now heard for the first time after an interval of nearly thirty years—it can not be pretended that any part of this particular grievance touches Missouri.

Acknowledging as we do the power of Congress to impose such duties for revenue purposes at least, and trusting to the wisdom and justice of that body for impartial legislation, we are unwilling to seek, in a step promising nothing but the most unequivocal calamities, a refuge from imaginary evils.

In reference to the more important matter presented as a reason for the action of Georgia, your Committee would say, that Missouri has watched with painful anxiety the progress of a great sectional party in the North based upon the exclusion of slavery from the Territories, which are the common property of the whole Union. Doing the Republican party the justice to believe that it means to carry out the articles of its political creed, as stated in its platform and indicated by its recent votes in Congress, we deem it incorrect to declare that it cherishes any present intention to interfere with slavery in the States of the Union. Any such attempt would justly arouse the highest exasperation in every slaveholding State; but it is considered unwise to go out of our way to denounce hypothetically a design which, so far from being threatened, is disavowed by that party.

We are aware that individual members of the Republican party have at times enunciated most dangerous heresies, and that some of its extremists have, with apparent deliberation, embodied in the form of resolutions and published to the world, sentiments which would fully authorize, if regarded as the views of the whole organization, the condemation due to principles at war with the security of rights of property in nearly half the States of the Union; but we must guard ourselves against the double error of imagining that all the bad rhetoric and uncharitable speech of orators whose highest aim is to produce a sensation, are to be taken as the true exponent of the sober views of their party, and that language recklessly used by a party seeking to obtain power is a faithful index of the conduct it will pursue when power has been once obtained.

In support of these views, your Committee may instance the adoption of a constitutional amendment by the requisite two-thirds vote of each branch of the last Congress, after the representatives from seven Southern States had withdrawn, providing against all interference by Congress with the institution of slavery, as it may exist in any State of the Union—a provision irrevocable without the consent of every State. From this it may be seen that the extremists attached to the Republican party have so far been unable to control it.

In proof of the proposition that parties are more radical in the acquisition that in the exercise of power, we may refer to the recent organization of three several Territorial Governments, upon the principles contained in the compromise measures of 1850—and afterwards applied, upon demand of the South, to the provisional governments of Kansas and Nebraska.

But notwithstanding these evidences denoting thus far a proper appreciation of the rights and wishes of the people of the South, the Honorable Commissioner was pleased to assure us that Georgia had lost all confidence in the North. Such, Mr. President, is not the sentiment of Missouri. That many of the citizens of the North, including the turbulent demagogues who incite to treason, and their deluded followers who execute their teachings, by invading other States, with a view of inaugurating revolution or setting at defiance by forcible resistance the Federal laws on their own soil, have forfeited our confidence, will not be denied. But to denounce the innocent with the guilty, and charge whole communities with the crimes or bad faith of a few, does not accord with the moral or political ethics of Missourians.

It is true that some of the Northern States have enacted laws, the provisions of which seem designed to impede the prompt and faithful execution of the fugitive slave law, but such enactments are void. They disgrace the statute books on which they appear, and serve no other purpose than to weaken the fraternal ties that should bind together the people of different sections of the Union. These enactments are fast disappearing; and the hope may be indulged that, in the course of a few months, this source of irritation will be permanently removed.

So far, then, from having lost all confidence in the North, Missouri is assured, by the history of the past, that every right she may constitutionally claim will be accorded to her. Let the passions of the day, engendered by political conflict, subside, and the ultra dogmas of party leaders will be discarded. Let the American mind once more be directed to the importance of perpetuating the blessings of a good government, instead of indulging vain hopes of establishing a better one, at the close of the most dangerous and criminal revolutions, and then the peace of the country will have been restored.

We are not advised that concessions demanded by the Southern people, on the subject of slavery, have been heretofore refused by those of the North. No Federal legislation, discriminating against the institution, has ever been imposed upon the South by the sectional power of the North. The ordinance of 1787, prohibiting slavery in the Northwest territory, ceded to the General Government by the State of Virginia, was proposed and advocated by one of the most distinguished sons of the "Old Dominion." The proposition was seconded and supported by Southern men, and, though the result of the measure was the exclusion of slavery from the soil of five large States of the Union, yet the South should not be so unjust as now to complain of the deed.

The Missouri Compromise was agreed upon by the representatives of both sections of the country, and neither should now reproach the other. It was proposed by a Southern man, received the assent of the South, and acquiesced in by the people of the nation.

And though, it may be said, the compact was made in ignorance of the law, as recently declared by the Supreme Court, the people of the South will scarcely now sacrifice their high sense of honor, so long claimed as a leading characteristic, in eager and unnatural desire to find causes of quarrel with their brethren of the North.

At a subsequent period the South demanded a repeal of the Missouri compromise line, and the *adoption of the principle of non-intervention upon* the subject of slavery in the Territories. The demand was acceded to, and territorial government established in accordance with their wishes. That portion of the Territory, once covered by the restriction of 1820, was thus opened to the introduction of slavery, and now, for the first time since the organization of the Federal Government, has slavery become lawful upon every part of the public domain. Georgia and Missouri united in this appeal to the patriotism and justice of the North. The concession was made, and Missouri would be false to every principle of honor should she find in the act a pretext for the charge of broken faith.

The operation of this principle having become distasteful to some of our Southern friends, it was thought by them advisable to make yet another demand upon the people of the North. The doctrine of Congressional protection of slavery in the Territory was urged as a substitute for that of popular sovereignty, so recently adopted at their own instance and request. The demand, however, is only made in a political convention, and admitted, by the parties urging it, to be an unnecessary and impracticable abstraction. When attempted to be engrafted upon the legislation of the country, it is repudiated by nearly the entire South, and even by Georgia herself. Your Committee are by no means satisfied that even this request would be refused by a large proportion of the Northern people, were it necessary to preserve the Union, or secure the rights of their brethren. But, until it shall be acknowledged as a vital and living principle by the South, and refused by the North, Missouri will be slow even to complain of injustice, much less to enter into any schemes for the destruction of the Government.

Missouri is not yet ready to abandon the experiment of free government. She has not lost all confidence in the people of any section of the nation, because the past furnishes assurance to the contrary; the present is cheered by her unshaken faith in the capacity of man to govern himself—and the future invites to peace and continued Union, for the prosperity of all.

If evils exist under the Constitution and laws, as they are, let the proper appeal be addressed to the American heart, both North and South, and these evils will be removed. If, in the heat of partisan rancor, the expressions or deeds of the vicious shall point to future aggressions, the patriotism of the masses needs only to be invoked for new guaranties against anticipated wrong.

From what has been already said it will be seen that the views of Georgia, as expressed by her Commissioner, and those of your Committee, in reference to the policy to be pursued by the Southern States in the present emergency, are essentially different. We believe that Missouri yet relies upon the justice of the American people, whilst Georgia seems to despair. The one recognizes friends in the North, whose lives, if necessary, will be devoted to her defense; the other regarding them as unworthy of her confidence, spurns their friendship and defies their enmity. Missouri looks to the Federal Constitution to protect the rights of her citizens, whilst Georgia unnecessarily rushes into revolution and hazards all upon a single issue. Georgia, seeming to regard the Union as the source of imaginary ills, adopts secession as a remedy; Missouri, feeling that she is indebted to the Union for the prosperity of her citizens, her power and wealth as a State, yet clings to it with the patriotic devotion of earlier days.

Your committee, so far, have confined themselves to an examination of the causes alleged for the revolution in the Southern States, and the apparent want of necessity for so extraordinary a movement, at the present time. Indeed so rapid and ill-advised has this action been, that it seems rather the execution of meditated conspiracy against the Government by restless and uneasy demagogues, than the slow and determined movement of a reflecting people. We see many of the dangerous men who controlled the nullification plot of South Carolina in 1832, the prominent actors in the present desperate experiment against the peace and happiness of the country. Feeling, as we do, the total inadequacy of the causes presented for this ruinous policy, your Committee will be excused in the expression of some doubt as to the deliberation and wisdom with which the Honorable Commissioner was pleased to assure us Georgia had acted in the premises. And in this connection we will be further excused for commending to the serious consideration of the good citizens of Georgia, and other seceding States, who may for the moment have been seduced from the paths of safety by the artful schemes of bad men, the following memorable words from one whose patriotism will not be doubted, and whose unerring sagacity is being daily verified in the history of the Republic:

"WASHINGTON, May 1, 1833.

"MY DEAR SIR: * * * * I have had a laborious task here; but nullification is dead, and its actors and courtiers will only be remembered by the people to be execrated for their wicked designs to sever and destroy the only good Government on the globe, and that prosperity and happiness we enjoy over every portion of the world. Haman's gallows ought to be the fate of all such ambitious men, who would involve their country in civil war, and all the evils in its train, that they might reign and ride on its whirlwind and direct the storm. The free people of these United States have spoken, and consigned these wicked demagogues to their proper doom. Take care of your nullifiers; you have them among you; let them meet with the indignant frowns of every man who loves his country. The tariff, it is *now* known was a mere pretext. *The next pretext will be the negro or slavery question.*

"ANDREW JACKSON.

"REV. ANDREW J. CRAWFORD."

The Commissioner was pleased to invoke the identity of interests and feeling between the people of Georgia and Missouri, as a reason that we should abandon the Government of our fathers and take our position with the seceding States. It will be borne in mind that this proposition was urged, not with a view of securing such guaranties as might ultimately lead to a reunion of the States and the establishment of fraternal peace, but for the purpose of constructing permanently a separate and distinct confederacy.

If the union of these two great States, under the same government—and we admit the fact—be so desirable to Georgia, we will be pardoned in the expression of astonishment that she saw fit to dissolve that connection, which had been peaceful and happy for the last forty years, without consulting the interests or wishes of Missouri. It may not be intended, but the inference is forced upon us, that longer to enjoy the beneficial results to flow from union with our revolting sisters, we must surrender our own convictions of duty and follow the imperative behests of others.—Missouri must resign her place in the present galaxy of States, where the lustre and brilliancy of each but add harmony and beauty to the whole, and accept such position as may be assigned her in the new constellation, whose light, we fear, may never penetrate beyond the southern skies.

The importance of the accession of Missouri to any confederacy formed upon the ruins of the present Union will be readily granted; but before accepting any such invitation without any guaranty for the future, it behooves us now to examine the character of the remedy proposed, and also its inevitable consequences upon the people of Missouri. Should the Government become destructive of the ends for which it was instituted, and oppression become the established rule of its action, we presume that none will deny the revolutionary right of redress. This, however, is a remedy outside of the provisions of the federal constitution and one that must necessarily address itself to the moral sense of the civilized world. It depends for its success upon deep convictions of wrong by citizens of the revolting district, claiming, when justifiable, the encouragement and sympathy of other nations. It is the last remedy of injured man to obtain in violence and bloodshed, if need be, the establishment of an incontestible right. It presumes the total inefficiency of his government to redress his wrongs. It supposes that all the efforts of peace have been exhausted, and that present evils are beyond endurance.

If it be true "that governments long established should not be changed for light and transient causes," it occurs to your Committee that a proper appreciation of this truth will at once dispel all ideas of present revolution.

Secession, on the other hand, is claimed as a right resulting from the nature of our Government; that the Constitution is a mere compact between the States, not subject even to the ordinary rules governing contracts; that it is a confederation of States, not a government of the people.

It will be observed that no attempt of a serious character has ever been made to overthrow the Government without adopting this theory as the best means to accomplish the end. The reason is obvious; for although it is declared in the instrument itself, that "this Constitution and the laws of the United States which shall be made in pursuance thereof, and all treaties made under the authority of the United States, shall be the supreme law of the land; and the judges in every State shall be bound thereby, anything in the constitution or laws of any State to the contrary notwithstanding," this doctrine interposes State authority between the rebellious citizen and the consequences of his crime. Hence the delegates from the five New England States who met at Hartford, Connecticut, in 1814, in response to the call of the Massachusetts Legislature, saying "it was expedient to lay the foundation for a radical reform in the National compact, and devise some mode of defense suitable to those States, the affinities of whose interests are closest and whose intercourse are most frequent," after enumerating their grievances against the Government, declare that "in cases of deliberate, dangerous and palpable infractions of the Constitution, affecting the sovereignty of a State, and the liberties of the people, it is not only the right but the duty of such a State to interpose its authority for protection, in the manner best calculated to secure that end. When emergencies occur which are either beyond the reach of the judicial tribunals, or too pressing to admit of the delay incident to their forms, States which have no common umpire *must be their own judges* and execute their own decisions."

Looking forward to the ultimate dissolution of the Union and the erection of a Northern Confederacy as one of the means to secure that end, they recommended amendments to the Constitution which they must have known would not be adopted. Their rejection it was hoped, no doubt, would "fire the Northern mind and precipitate" the New England States "into a revolution." Seeing the enormity of their proceedings and that merited punishment would likely be visited upon them by the Government, they too entered their solemn protest against coercion, and declared "if the Union be destined to dissolution by reason of the multiplied abuses of bad administration, it should be if possible the work of peaceable times and deliberate consent," and that "a separation by *equitable arrangement* will be preferable to an alliance by constraint among nominal friends but real enemies."

We pause but to remark that the amendments to the Constitution proposed by this sectional Convention were never adopted, the New England States remained in the Union, peace and prosperity again blessed the land, and the conspirators, abhorred and shunned by men, silently passed along to a grave of infamy.

At a subsequent period a movement somewhat similar in its nature was inaugurated in some of the Southern States, and your Committee hope that the allusion will give no offense to Georgia. The grievance complained of was the tariff act of 1828. South Carolina took the incipient step and declared the Constitution to be a compact between States as independent sovereignties and not a government of the people—that the Federal Government was responsible to the State Legislatures, when it assumed powers not conferred—that notwithstanding a tribunal was appointed under the Constitution to decide controversies where the United States was a party, there were some questions that must occur between the Government and the States, which it would be unsafe to submit to any judicial tribunal; and finally, that the State had a right to judge for itself as to infractions of the Constitution. Alabama, Virginia, and Georgia having yielded assent to this exposition of the principles of the Government, a Convention was assembled in South Carolina, which at once declared the obnoxious law to be null and void and of no binding force upon the citizens of that State. It was further resolved, that in case of an attempt by the General Government to enforce the tariff laws of 1828 or 1832, the Union was to be dissolved, and a Convention called to form an independent government of that State; and in order that the nullification might be thorough and complete, it was provided, that no appeal should be permitted to the Supreme Court of the United States in any question concerning the validity of the ordinance or of the laws that might be passed by the Legislature to give it effect. In pursuance of this scheme, the Governor was authorized by the Legislature to call on the militia of the State to resist the enforcement of the Federal laws; arms and munitions of war were placed at his disposal, and the State judiciary was to be exonerated from their oaths to support the Federal Constitution. Treason to the Union became sanctified with the name of patriotism, and its hideous deformity was attempted to be shielded by the mantle of State sovereignty.

At this juncture appeared the proclamation of Jackson, explaining the nature of the American Government, denying the pretended right of sovereignty and claiming the supremacy of the Federal Constitution. A military force was ordered to assemble at Charleston, and a sloop of war was dispatched to the same point, to protect the Federal officers in the discharge of their duties. False theories were exploded; the tide of revolution that threatened to engulf the entire South was checked; the passions of the moment subsided; the public mind that had been maddened by the unlicensed declamation of the demagogue, was remitted to calm reflection, and soon the whole country responded to the patriotic sentiment of the iron-nerved statesman: "Our Federal Union—it must be preserved."

We pause but to remark, that the revenues were collected, peace was preserved, the country was saved, and a new batch of restless men consigned to oblivion by an indignant people. Other instances might be given in which false constructions of the Constitution have been urged with the obvious intention ultimately to destroy it; but your Committee feel assured that the instrument itself, when viewed in connection with the history of its adoption, cannot be so tortured as to sanction the right of secession. It is an instrument of delegated powers, granted by "the people of the United States, in order to form a more perfect Union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to themselves and their posterity."

All legislative powers granted in the Constitution are vested in a Congress, composed of a Senate and House of Representatives. After an express enumeration of grants of power that may be exercised by that body, it is further provided that Congress shall have power "to make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the Government of the United States or in any department or officer thereof."

It is then provided, that "the laws of the United States, which shall be made in pursuance" of these grants of power, "shall be the supreme law of the land, and the Judges in every State," in their administration of justice, "shall be bound thereby," notwithstanding the Constitution and laws of their own State may be to the contrary.

"The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people." If the framers of the Constitution had stopped at this point and furnished us no tribunal before which the humblest citizen may obtain redress when the limitations of the instrument shall be exceeded by the lawmaking power, the pretext for the assumed right would be infinitely more plausible. But such is not the case. The powers delegated having been granted by the people for purposes of permanent and perpetual government, cannot be withdrawn by any State or any number of States, except in the mode indicated in the Constitution itself. These grants of power were at the time supposed to be essential to the common good; that being of a general nature, it were best to confer their exercise upon a national government. This having been done, the several States cannot be regarded as perfect sovereignties. The people of the whole Union having surrendered to the General Government a portion of their powers—which are material attributes of sovereignty—and having declared that Government to be the supreme law of the land, it cannot be seriously urged that any number of the people organizing a State Government, may confer upon it powers with which they have already parted.

But, in order to protect the people of each and every State against encroachment by the Federal authority; to prevent interference by the States with powers delegated to the Federal Government, and to preserve to each its appropriate rights for all time to come, a wise provision was made which so far, it must be admitted, has answered all the ends for which it was adopted.

Controversies must necessarily spring up in the administration of governments, so complicated in their nature, for each may be said to be sovereign within its appropriate sphere, and in order that a peaceable solution may be had in every possible case that can arise, our forefathers provided an arbiter in the judiciary department of the government; its power extending "to all cases in law and equity, arising under this Constitution, the laws of the United States, and treaties made or which shall be made under their authority;" "to controversies to which the United States shall be a party; to controversies between two or more States; between a State and citizens of another State; between citizens of different States; between citizens of the same State claiming lands under grants of different States, and between a State or citizens thereof and foreign States, citizens or subjects."

This, in connection with the other provisions of the Constitution referred to, renders our Government, in the judgment of your committee, the best ever established by man. Whether Georgia and her sister seceding States may be able to devise a better the future alone can determine.

If we were disposed further to demonstrate the heterodoxy of secession as a right deducible from the Constitution, we might refer to other plain provisions of that instrument, and ask pertinent questions as to the reason of their adoption, and the consequences flowing from an admission of the right.

Why grant the power "to borrow money on the credit of the United States," if the State, perhaps receiving the benefit of the fund, can withdraw and absolve her citizens from all obligation to pay? Why the power "to lay and collect taxes, duties, imposts, and excises, to pay the debts and provide for the common defense and general welfare of the United States," if a simple ordinance of secession excuses the citizen and nullifies the provision for calling "forth the militia to execute the laws of the Union?" Why the power "to declare war," if, in the midst of hostilities, the State whose representatives may have voted for the declaration, but, now, wearied of its calamities, may seek peace in secession, and leave the Government to struggle with its dangers and its burdens? Why declare that "no State shall enter into any treaty, alliance, or confederation;" that "no State shall enter into any agreement or compact with another State, or with a foreign power," if all these things can be done in perfect accordance with the Constitution?

We might also refer to the acquisition of Florida, the purchase of Louisiana, the payment of the Texas debt, and the boasted "indemnity for the past and security for the future," supposed to be realized at the close of the war with Mexico, all of which were mere "promises to the ear," if the doctrine of secession be true.

But were your Committee disposed to abandon the dictates of patriotism and forget for the moment their loyalty to the Constitution of the nation, a proper regard for the local interests of our own State would demand at our hands an examination of the probable consequences of the action proposed. We are told by the Commissioner that Georgia acted for herself, and adopted such course as she deemed best calculated to protect her honor and secure the welfare of her citizens.

If it be true that each State possesses the right to judge for itself, and its own peculiar interests should control its policy in emergencies like the present, and that Georgia in the exercise of that right has acted with an eye single to her own welfare, it may well be doubted whether a similar instinct of self-preservation on our part should be influenced by the conduct of others.

It is urged that the Northern mind has become so corrupted by the anti-slavery mania of the day, as to render this species of property insecure. If secession could remove our State beyond the reach of this morbid sentiment, or build mountains and seas upon our borders to arrest the operation of its influence, the remedy proposed might at least be regarded in a more favorable light. Our State is surrounded by territory which, in the event of separation, will pass under the jurisdiction of a foreign government; and if it be once admitted that fraternal regard and a sense of mutual dependence, cemented by the associations of the past and the hopes of the future, are now insufficient to check the insubordinate citizens of adjacent States, what limit to outrage may be anticipated when these restraints are removed!

Supposing that a peaceable separation could be accomplished, new and important questions would be precipitated upon us. The present elements of our prosperity as one people would become the sources of bitter strife. What gives power as a nation would bring about conflicts between its different societies, as independent sovereignties, that must soon terminate in the destruction of the weaker and the comparative ruin of the stronger. The great rivers of our country, now floating the commerce of a happy people, would daily present questions for angry controversy between rival republics. There being no common arbiter for the adjustment of these exciting differences, an appeal to the sword will be made to settle them. Treaties will likely fail to secure what now is claimed as a constitutional right. In this view of the case, Missouri having withdrawn from the Union to obtain greater security in negro property, would suddenly find herself surrounded by territory affording for the fugitive slave an asylum as safe as the Canadian provinces. Secession does not commend itself to Missouri as a proper solution of the problem, involved in political strife upon the territorial question.

It has been already remarked that the idea of excluding slavery from the Territories, as entertained by the Republican party, is in conflict with an unreversed decision of the Supreme Court of the United States, and was wholly abandoned by that party in the recent organization of territorial governments. The right to carry slaves into all the public domain is to-day clear and undisputed, and if the soil and climate be such as to forbid the permanent existence of the institution therein, secession will scarcely be regarded by Missouri as a remedy for the supposed grievance.

Again we may ask, if the Southern States withdraw from the Government, will it not be argued that they have abandoned all interests in the public property? We waive the question of right, for evidently it resolves itself into one of power, and it is at least certain that such will be the view of those from whom we have separated. This of itself will inaugurate a contest of the most violent character; and whether the institution of slavery may be safely planted upon any soil in the midst of hostilities, originating from these causes, is a question deserving our serious consideration.

In conclusion, Mr. President, your Committee desire to express the hope that the errors of the day, both North and South, will soon be abandoned, that fraternal love will be restored by adjustment, honorable alike to every section, and that Georgia and Missouri may continue in the Union of our fathers, to bless and be blessed, in in the great family of States.

In every point of view in which we have been able to examine the communication soliciting our withdrawal from the Union, whether viewed as a constitutional right, a remedy for existing evils, or a preventive of anticipated wrongs, we find it in conflict with our allegiance to a good Government, and wholly inefficient to accomplish the ends designed.

We therefore recommend to the Convention the adoption of the following resolutions:

Resolved by the people of Missouri, in Convention assembled:

1st. That the communication made to this Convention by the Hon. Luther J. Glenn, as a Commissioner from the State of Georgia, so far as it asserts the constitutional right of secession, meets with our disapproval.

2d. That whilst we reprobate in common with Georgia, the violation of constitutional duty by Northern fanatics, we cannot approve the secession of Georgia and her sister States, as a measure likely to prove beneficial either to us or to themselves.

3d. That in our opinion the dissolution of the Union would be ruinous to the best interests of

Missouri, hence no effort should be spared on her part to secure its continued blessings to her people, and she will labor for an adjustment of all existing differences on such a basis as will be compatible with the interest and the honor of all the States.

4th. That this Convention exhorts Georgia and the other seceding States to desist from the revolutionary measures commenced by them, and unite their voice with ours in restoring peace and cementing the Union of our fathers.

5th. *Resolved,* That the President of this Convention transmit a copy of these resolutions, together with a copy of those concerning our Federal relations adopted by the Convention, to the President of the Convention of Georgia, or if the Convention shall have adjourned, then to the Governor of said State.

JOHN B. HENDERSON,
Chairman Com. on Commissioner from Ga.

Mr. Birch, (of the same Committee,) desired to have the following resolutions read for information, laid upon the table and printed, with the understanding that, at the proper time, he would offer them as a substitute for the resolutions which accompany the report of the Committee.

Resolved, That, whilst denying the legal right of a State to secede from the Union, (as assumed in the communication which has been made to this State by the Commissioner from the State of Georgia,) we recognize in lieu thereof the right of revolution, should sufficient reason arise therefor.

2. That, whilst in common with the State of Georgia, we deplore and reprobate the sectional disregard of duty and fraternity so forcibly presented by her Commissioner, we are nevertheless undespairing of future justice; nor *will* we despair until our complaints shall have been specifically and unavailingly submitted to the Northern People.

3. That we concur with the Commissioner of the State of Georgia, that the possession of slave property is a constitutional right, and as such ought to continue to be recognized by the Federal Government; that, if it shall invade or impair that right, the slaveholding States should be found united in its defense; and that in such events as may legitimately follow, this State will share the dangers and the destiny of her sister slave States.

4. That, relying upon the restoration of fraternal relations on the basis of adjustment thus and otherwise denoted in the action of this Convention, the President is requested to communicate to each of the seceding States a copy of its resolves, and to invoke for them the same earnest and respectful consideration in which they are submitted, and which restrains this Convention from any further criticism upon the mode or manner, the motives or the sufficiency for the action of the seceding States, than to add, that it has elicited our unfeigned regrets.

Mr. Welch moved to lay the report of the Committee, and the report of the minority on the table, and to make them the special order for the third Monday in December next.

Mr. Sheeley called for a division of the question which was ordered.

The first question, to lay the reports of the majority and minority on the table was decided in the affirmative.

The second question, to make them the special order of the day for the third Monday in December next, was decided in the affirmative by the following vote, the ayes and noes having been demanded by Mr. Welch.

Ayes.—Messrs. Bartlett, Bass, Bast, Bogy, Brown, Calhoun, Cayce, Chenault, Collier, Crawford, Doniphan Donnell, Douglass, Drake, Dunn, Frayser, Flood, Givens, Gorin, Gravely, Harbin, Hatcher, Hill, Holt, Hough, Hudgins, Howell, Irwin, Jamison, Kidd, Knott, Marmaduke, Matson, McCormack, McDowell, Morrow, Moss, Noell, Phillips, Pomeroy, Rankin, Redd, Ritchey, Ross, Rowland, Sawyer, Sayre, Shackelford of Howard, Shackelford of St. Louis, Sheeley, Waller, Watkins, Welch, Woodson, Woolfolk and Zimmerman—56.

Noes.—Messrs. Allen, Birch, Breckinridge, Bridge, Bush, Eitzen, Foster, Gamble, Hall of Buchanan, Hall of Randolph, Henderson, Hendrick, Hitchcock, Holmes, How, Isbell, Jackson, Johnson, Leeper, Linton, Long, Marvin, Maupin, McClurg, McFerran, Meyer, Norton, Orr, Ray, Scott, Smith of Linn, Smith of St. Louis, Stewart, Tindall, Turner, Wilson, Wright, Vanbuskirk and Mr. President—40.

Mr. Shackelford, of Howard, withdrew the amendment offered by him on yesterday, to the accepted substitute of Mr. Wilson to the seventh resolution of the report of the Committee an Federal Relations.

Mr. Hall, of Buchanan, offered the following as an amendment to the pending amendment, by adding as follows: 'The President of this Convention shall be added to, and be *ex officio* Chairman of said Committee.

Mr. Birch moved that the seventh resolution, and all pending amendments be referred to the Committee on Federal Relations, with instructions to report to the Convention this day, at two o'clock P. M., which was agreed to.

Mr. Gantt offered the following resolution, which was adopted.

Resolved, That two hundred copies of the report of the Committee on the Communication from Georgia, together with both sets of resolutions accompanying the same, be printed for the use of the Convention.

On motion of Mr. **Welch**, the Convention adjourned until 2 o'clock P. M.

EVENING SESSION.

The Convention met pursuant to adjournment.

Mr. **Gamble** from the Committee on Federal Relations, to whom was referred the seventh resolution and pending amendments, reported the following:

Resolved, That there shall be a committee consisting of the President of this Convention, who shall be *ex officio* chairman, and seven members, one from each Congressional district of the State, to be elected by this Convention, a majority of which shall have power to call this Convention together at such time prior to the third Monday in December next, and at such place as they may think the public exigencies require; and in case any vacancy shall happen in said committee by death, resignation, or otherwise during the recess of this Convention, the remaining members or member of said committee shall have power to fill such vacancy—which on motion was adopted.

By the unanimous consent of the Convention the following amendment was adopted:

Add to the fifth resolution as Mr. **Sackelford**'s amendment: "And in order to restoration of harmony and fraternal feeling between the different sections, we would recommend the policy of withdrawing the Federal troops from the forts within the borders of the seceding States where there is danger of collision between the State and Federal troops."

Mr. **Gamble** called up the following resolution heretofore introduced by him from the committee on Federal Relations as an additional resolution to the report of said committee:

Whereas, It is probable that the Convention of the State of Virginia, now in session, will request a meeting of the delegates from the border States or border slave States, for the purpose of devising some plan for the adjustment of our national difficulties; and *Whereas*, the State of Missouri participates strongly in the desire for such adjustment, and desirous to show respect for the wishes of Virginia, Therefore

Resolved, That this Convention will elect seven delegates, one from each congressional district, whose duty it shall be to attend at such time and place as may designated by the Convention of the State of Virginia for the meeting of delegates from the border States or border slave States; and if there should assemble then and there, delegates duly accredited from a majority of the States invited to such conference, then the delegates from this Convention shall enter into conference with them, and shall endeavor to devise a plan for the amicable and equitable adjustment of all matters in difference between the States of this Union. And the delegates appointed under this resolution, shall report their proceedings in such conference, and any plan that may be there agreed upon to this Convention for its approval or rejection.

Mr. **Redd** offered the following as a substitute for the resolution:

Whereas, The Convention of the State of Virginia, now in session, has adopted a resolution in the following words, to wit: "The peculiar relations of the States of Delaware, Maryland, Virginia, North Carolina, Tennessee, Kentucky, Missouri and Arkansas to the other States, make it proper in the judgment of this Convention, that the former States should consult together and concert such measures for their final action, as the honor, interest, and the safety of the people thereof may demand, and for that purpose the proper authorities of those States are requested to appoint Commissioners to meet Commissioners, to be appointed by this Convention, on behalf of the people of this State, at Frankfort, in the State of Kentucky, on the last Monday in May next; And Whereas, this Convention approving of said resolutions, and being desirous of co-operating with the States named therein for the purpose named;

Therefore, Resolved, That seven Commissioners be appointed by the President of this Convention to meet the Commissioners from the States named in this resolution, at the time and place therein named; and said Commissioners are hereby instructed to report their action, and the action of said Convention to this body at the next meeting thereof.

Mr. **Sawyer** offered the following amendment to the substitute:

Strike out all after the word 'resolved,' and insert the following: That one delegate from each Congressional district be elected by the qualified voters of the respective districts, whose duty it shall be to attend at the time and place designated by the Convention of the State of Virginia, for the meeting of the delegates from the border States; and if there shall assemble then and there, delegates duly accredited from a majority of the States invited to such Convention, then the delegates from this State shall enter into conference with them, and shall endeavor to devise a plan for the amicable and equitable adjustment of all matters in difference between the States of this Union; and this Convention urges the Legislature of this State to make provisions by law for the elections of said delegates by the people, and in the event, the Legislature shall fail to make such provision by law, for such election, then, that the President of this Convention shall appoint said delegates, and the delegates selected under this resolution shall report their proceedings in such conference, and any plan that may there be agreed upon, to this Convention for their approval or rejection.

Mr. Shackelford, of Howard, moved the previous question which was ordered, the question then being, "shall the main question be now put?" it was decided in the affirmative.

The question then being on the adoption of the amendment to be substituted, it was decided in the negative by the following vote, the ayes and noes having been called for by Mr. Brown:

Ayes.—Messrs. Bartlett, Bast, Birch, Brown, Calhoun, Cayce, Chenault, Collier, Crawford, Doniphan, Donnell, Douglass, Drake, Frayser, Givins, Gorin, Harbin, Hatcher, Hill, Holt, Hough, Hudgins, Jamison, Marmaduke, Matson, Rankin, Redd, Ritchey, Rowland, Sawyer, Sayre, Scott, Sheeley, Waller, Watkins and Zimmerman.—37.

Noes.—Messrs. Allen, Bass, Bogy, Breckinridge, Bridge, Bush, Eitzen, Flood, Foster, Gamble, Gantt, Gravely, Hall of Buchanan, Hall of Randolph, Henderson, Hendrick, Hitchcock, Holmes, How, Howell, Irwin, Isbell, Jackson, Johnson, Kidd, Leeper, Linton, Long, Marvin, Maupin, McClurg, McCormack, McFerran, Meyer, Morrow, Moss, Noell, Norton, Orr, Phillips, Pomeroy, Ray, Ross, Shackelford of Howard, Shackelford of St. Louis, Smith of Linn, Smith of St. Louis, Stewart, Tindall. Turner, Welch, Wilson, Woodson, Woolfolk, Vanbuskirk and Mr. President—57.

Absent: Messrs. Broadhead, Wright and Knott.

Sick: Messrs. Comingo and Pipkin.

By leave of the Convention, Mr. Redd withdrew his substitute, and offered the following amendment, which was rejected by the following vote, the ayes and noes having been demanded by Mr. Welch:

Amend by striking out the words, "this Convention will elect delegates," and insert in the place thereof, the words, "the President is authorized to appoint seven delegates."

Ayes—Messrs. Bass, Bast, Brown, Drake, Flood, Givens, Gorin, Hatcher, Hudgins, Matson, Redd, Sawyer, Sayre, Turner and Woodson—15.

Noes—Messrs. Allen, Bartlett, Birch, Bogy, Breckinridge, Bridge, Bush, Calhoun, Cayce, Chenault, Crawford, Doniphan, Dunn, Eitzen, Frayser, Foster, Gamble, Gantt, Gravely, Hall of Buchanan, Harbin, Henderson, Hendrick, Hill, Hitchcock, Holmes, Holt, Hough, How, Howell, Irwin, Isbell, Jackson, Jamison, Johnson, Kidd, Leeper, Linton, Long, Marmaduke, Marvin, Maupin, McClurg, McCormack, McDowell, McFerran, Meyer, Morrow, Moss, Noell, Norton, Orr, Phillips, Pomeroy, Rankin, Ray, Ritchey, Ross, Rowland, Scott, Shackelford of Howard, Shackelford of St. Louis, Sheeley, Smith of St. Louis, Smith of Linn, Stewart, Tindall, Waller, Watkins, Welch, Wilson, Woolfolk, Wright, Vanbuskirk, Zimmerman and Mr. President—76.

Absent—Messrs. Broadhead, Collier, Comingo, Donnell, Douglass, Hall of Randolph, and Knott.

Sick—Mr. Pipkin.

The resolution was then adopted by the following vote, the ayes and noes having been demanded:

Ayes—Messrs. Allen, Bartlett, Bass, Bast, Birch, Bogy, Breckinridge, Bridge, Brown, Bush, Calhoun, Cayce, Chenault, Collier, Crawford, Doniphan, Donnell, Douglass, Drake, Dunn, Eitzen, Frayser, Flood, Foster, Gamble, Gantt, Givens, Gorin, Gravely, Hall of Buchanan, Hall of Randolph, Harbin, Hatcher, Henderson, Hendrick, Hill, Hitchcock, Holmes, Holt, Hough, How, Howell, Hudgins, Irwin, Isbell, Jackson, Jamison, Johnson, Kidd, Knott, Linton, Long, Marmaduke, Matson, Maupin, McClurg, McCormack, McDowell, McFerran, Meyer, Morrow, Moss, Noell, Norton, Phillips, Pomeroy, Ray, Rankin, Redd, Ross, Rowland, Sawyer, Sayre, Scott, Shackelford of Howard, Shackelford of St. Louis, Sheeley, Smith of Linn, Smith of St. Louis, Stewart, Tindall, Turner, Waller, Watkins, Welch, Wilson, Woodson, Woolfolk, Wright, Vanbuskirk, Zimmerman and Mr. President—93.

Noes—Messrs. Leeper, Orr and Ritchey—3.

Absent—Mr. Broadhead.

Sick—Comingo and Pipkin.

Mr. Irwin offered the following resolution, which was adopted:

Resolved, That this Convention will adjourn its session in the city of St. Louis on Friday, the 22d inst., at 3 o'clock P. M.

Mr. Dunn offered the following resolution, which, on motion of Mr. Hall, of Buchanan, was laid on the table:

Resolved, That the delegates from each Congressional district be requested to recommend a suitable person for delegate to represent Missouri in the border State Convention, and that they report such recommendation to this Convention to-morrow morning at 10 o'clock.

Mr. Birch, from the Committee heretofore appointed to inquire into the conspiracy to take the State of Missouri out of the Union, asked to be and was discharged.

On motion of Mr. Norton, the Convention adjourned until to-morrow morning at nine o'clock.

NINETEENTH DAY,

FRIDAY MORNING MARCH 22, 1861.

The Convention met pursuant to adjournment, and was opened with prayer by the Rev. Mr. Monroe.

On motion of Mr. Hall, of Buchanan, the reading of the journal was dispensed with.

On motion of Mr. Birch, the Convention proceeded to the election of the members of the committee of seven, provided for in the seventh resolution, when

Mr. Long nominated Mr. Thomas T. Gantt of the First Congressional District. There being no other nomination, on motion of Mr. Hall, of Buchanan, he was declared unanimously elected.

Second District—Mr. Woodson nominated Mr. J. T. Matson, who was declared elected.

Third District—Mr. Woolfolk nominated Mr. J. T. Tindall.

On motion of Mr. Birch he was declared unanimously elected.

Fourth District—Mr. Hall of Buchanan, nominated Mr. Robert Wilson, who, on motion of Mr. Doniphan, was declared unanimously elected.

Fifth District—Mr. Marvin nominated Mr. J. Proc. Knott, who, on motion of Mr. Sheeley, was declared unanimously elected.

Sixth District—Mr. Isbell nominated Mr. McClurg, who, on motion of Mr. Meyer, was declared unanimously elected.

Seventh District—Mr. Bogy nominated Mr. Jas. R. McCormack.

Mr. Watkins nominated Mr. M. P. Cayce.

The roll having been called, there appeared for Mr. McCormack:

Messrs. Allen, Bogy, Breckinridge, Bridge, Bush, Calhoun, Cayce, Eitzen, Foster, Gantt, Gravely, Hall of Buchanan, Hall of Randolph, Harbin, Henderson, Hendrick, Hitchcock, Holmes, Holt, How, Irwin, Isbell, Jackson, Jamison, Johnson, Kidd, Leeper, Linton, Long, Marmaduke, Marvin, Maupin, McClurg, McDowell, McFerran, Meyer, Morrow, Orr, Phillips, Pomeroy, Rankin, Ritchey, Ross, Rowland, Shackelford of St. Lous, Smith of Linn, Smith of St. Louis, Tindall, Turner, Welch, Woolfolk, Wright, Vanbuskirk, Zimmerman and Mr. President—56.

For Mr. Cayce—Messrs. Bartlett, Bush, Birch, Brown, Chenault, Collier, Crawford, Doniphan, Donnell, Drake, Dunn, Frayser, Flood, Givens, Gorin, Hatcher, Hill, Hough, Howell, Hudgins, Matson, McCormack, Moss, Noell, Norton, Redd, Sawyer, Sayre, Sheeley, Waller, Watkins and Woodson—32.

Absent—Messrs. Bast, Broadhead, Douglass, Gamble, Knott, Ray, Shackelford of Howard, Stewart and Wilson.

Sick—Messrs. Comingo and Pipkin.

Mr. McCormack having received a majority of all the votes cast, was declared duly elected from the Seventh Congressional District.

On motion of Mr. Hall, of Buchanan, the Convention proceeded to the election of delegates to the border States Convention, one from each Congressional District, in their regular order.

First District—Mr. Bridge nominated Hamilton R. Gamble. There being no other nomination made, on motion of Mr. Hall, of Buchanan, he was declared unanimously elected.

Second District—Mr. Zimmerman nominated John B. Henderson. Mr. Howell nominated Warren Woodson.

The roll having been called, there appeared

For Mr. Henderson—Messrs. Allen, Bogy, Breckinridge, Bridge, Bush, Calhoun, Douglass, Foster, Eitzen, Gantt, Gravely, Hall of Buchanan, Hall of Randolph, Hendrick, Hitchcock, Holmes, Holt, How, Irwin, Isbell, Jackson, Jamison, Johnson, Kidd, Leeper, Linton, Long, Marvin, Maupin, McClurg, McCormack, McFerran, Meyer, Morrow, Orr, Phillips, Pomeroy, Rankin, Ross, Rowland, Scott, Shackelford of St. Louis, Smith of Linn, Smith of St. Louis, Tindall, Turner, Woodson, Woolfolk, Wright, Vanbuskirk, Zimmerman and Mr. President—52.

For Mr. Woodson—Messrs. Bartlett, Bass, Bast, Birch, Brown, Chenault, Collier, Crawford, Doniphan, Donnell, Drake, Dunn, Frayser, Flood, Givens, Gorin, Harbin, Hatcher, Henderson, Hill, Hough, Howell, Hudgins, Marmaduke, Matson, McDowell, Moss, Noell, Norton, Redd, Ritchey, Sawyer, Sayre, Sheeley, Waller, Watkins and Welch—37.

Absent—Messrs. Broadhead, Cayce, Gamble, Knott, Ray, Shackelford of Howard, Stewart and Wilson.

Sick—Comingo and Pipkin.

Mr. Henderson having received a majority of all the votes cast, was declared duly elected delegate from the Second Congressional District.

Third District—Mr. Rowland nominated Wm. A. Hall. Mr. Givens nominated E. K. Sayre.

The roll having been called there appeared

For Mr. Hall—Messrs. Allen, Birch, Bogy, Breckinridge, Bridge, Bush, Calhoun, Cayce, Douglass, Eitzen, Flood, Foster, Gantt, Gravely, Hall of Buchanan, Henderson, Hendrick, Hitchcock, Holmes, Holt, How, Howell, Irwin, Isbell, Jackson, Jamison, Johnson, Kidd, Leeper, Linton, Long, Marmaduke, Marvin, Maupin, McClurg, McCormack, McDowell, McFerran, Meyer, Morrow, Noell, Norton, Orr, Phillips, Pomeroy, Rankin, Ritchey, Ross, Rowland, Sayre, Scott, Shackelford of Howard, Shackelford of St. Louis, Smith of Linn, Smith of St. Louis, Stewart, Tindall, Turner, Welch, Wilson, Woodson, Woolfolk, Wright, Vanbuskirk, Zimmerman and Mr. President—66.

Fr. Mr. Sayre—Messrs. Bartlett, Bass, Bast, Brown, Chenault, Collier, Crawford, Doniphan, Donnell, Drake, Dunn, Frayser, Givens, Gorin, Hall of Randolph, Harbin, Hatcher, Hill, Hough, Hudgins, Knott, Matson, Redd, Sawyer, Waller and Watkins—26.

Absent—Messrs. Broadhead, Gamble, Moss, Ray and Sheely.

Sick—Comingo and Pipkin.

Mr. Hall having received a majority of all the votes cast, was declared duly elected.

Fourth District—Mr. Birch nominated Jas. H. Moss. There being no other nomination, on motion of Mr. Gantt, Mr. Moss was declared unanimously elected.

Fifth District—Mr. Phillips nominated Wm. Douglass. Mr. Brown nominated Abraham Comingo

The roll having been called, there appeared for Mr. Douglass:

Messrs. Allen, Bartlett, Birch, Bogy, Breckinridge, Bridge, Bush, Calhoun, Doniphan, Drake, Eitzen, Frayser, Flood, Foster, Gantt, Gravely, Hall of Buchanan, Hall of Randolph, Henderson, Hendrick, Hitchcock, Holmes, Holt, How, Howell, Irwin, Isbell, Jackson, Jamison, Johnson, Knott, Kidd, Leeper, Linton, Long, Marmaduke, Marvin, Maupin, McClurg, McCormack, McDowell, McFerran, Meyer, Morrow Noell, Norton, Orr, Phillips, Pomeroy, Rankin, Ritchey, Ross, Rowland, Scott, Shackelford of Howard, Shackelford of St. Louis, Smith of Linn, Smith of St. Louis, Stewart, Tindall, Turner, Waller, Watkins, Welch, Wilson, Woodson, Woolfolk, Wright, Vanbuskirk, Zimmerman and Mr. President—71.

For Mr. Comingo.—Messrs. Bast, Brown, Cayce, Chenault, Collier, Crawford, Donnell, Dunn, Givens, Gorin, Harbin, Hatcher, Hill, Hough, Hudgins, Matson, Redd, Sawyer, Sayre and Sheeley —20.

Absent: Messrs. Bass, Broadhead, Douglass, Gamble, Moss and Ray.

Sick: Messrs. Comingo and Pipkin.

Mr. Douglass having received a majority of all the votes cast, was declared duly elected from the Fifth Congressional District.

Sixth District: Mr. Morrow nominated Littlebury Hendrick; there being no other nomination, on motion of Mr. Marvin, Mr. Hendrick was declared unanimously elected delegate from the Sixth Congressional District.

Seventh District: Mr. Hatcher nominated Nathaniel W. Watkins.

Mr. Bogy nominated William G. Pomeroy.

The roll having been called, there appeared

For Mr. Watkins—Messrs. Allen, Bartlett, Bass, Bast, Birch, Brown, Cayce, Chenault, Collier, Crawford, Doniphan, Donnell, Douglass, Drake, Dunn, Frayser, Flood, Givens, Gorin, Harbin, Hatcher, Hill, Hough, Howell, Hudgins, Knott, Marmaduke, Matson, McCormack, Noell, Pomeroy, Redd, Ritchey, Ross, Sawyer, Sayre, Sheeley, Waller, Woodson—39.

For Mr. Pomeroy—Messrs. Bogy, Breckinridge, Bridge, Bush, Calhoun, Eitzen, Foster, Gravely, Hall of Buchanan, Hall of Randolph, Henderson, Hendrick, Hitchcock, Holmes, Holt, How, Irwin, Isbell, Jackson, Jamison, Johnson, Kidd, Leeper, Linton, Long, Marvin, Maupin, McClurg, McDowell, McFerran, Meyer, Morrow, Orr, Phillips, Rankin, Rowland, Scott, Shackelford of St. Louis, Smith of Linn, Smith of St. Louis, Stewart, Tindall, Turner, Watkins, Welch, Woolfolk. Wright, Vanbuskirk, Zimmerman and Mr. President—51.

Absent: Messrs. Broadhead, Gamble, Moss, Norton, Ray, Shackelford of Howard, and Wilson.

Sick: Messrs. Comingo and Pipkin.

Mr. Pomeroy having received a majority of all the votes cast, was declared duly elected delegate from the Seventh Congressional District.

Mr. Woolfolk, from the Committee on Printing, presented the following report and resolution which were adopted:

The Committee on Printing beg leave to report that, in accordance with instructions, the Secretary of the Convention has had the printing, required by the Convention, executed by George Knapp, & Co., the expense for which has been less than two hundred dollars.

The Committee also report, that in accordance with the resolution proposed by Mr. Dunn on the 9th of March, and which was adopted by the Convention, they contracted with George Knapp & Co., to print the proceedings of the Convention, at rates not to exceed five hundred dollars, for five thousand copies of one hundred pages. At the time the contract was made, it was thought that not more than one hundred pages would be required; but as the proceedings are now nearly printed, they will extend over about two hundred and fifty pages. As a book of reference the committee deem it invaluable. The proof sheets have been submitted to the members interested, for revision, and it will be the only authorized record for public use of the proceedings of the Convention.

The committee respectfully ask that their action be endorsed by the Convention, and that the following resolution be adopted:

Resolved, That the account of George Knapp & Co., for printing five thousand copies of the proceedings of the Convention, be audited by the Commitee on Accounts, and that the same be considered as printing for the Convention, the payment for which, is provided for out of the funds appropriated by the Legislature of the State, for the contingent expenses of the Convention.

Mr. WELCH offered the following resolution, which was rejected:

Resolved, That if the Legislature of this State, shall, at or about the time designated in the sixth resolution of the majority report of the Committee on Federal Relations, be called to meet, either by a resolution of adjournment, or by proclamation of the Governor, then, and in that event, the committee provided for in the seventh resolution, is hereby authorized to change the time and place of the meeting of this Convention, to such other time and place as said committee may deem most suitable, and shall notify each member of the time and place so selected.

On motion of Mr. Wright.

Resolved, That the resolution of this committee requesting the General Assembly of this State to call for a national Convention in pursuance of the provisions of the Constitution of the United States, be communicated officially by the President of this Convention, to the Legislature of this State.

On motion of Mr. Birch.

Resolved, That of the bound volumes of the proceedings and debates of this Convention, a copy be forwarded by the publishers, to the Clerk of each county Court, and to the State Librarian, for preservation in their office, respectively; to each member of the General Assembly now in session, and to each member of the Executive Government, and Judges of the Supreme Court, at Jefferson; to the Librarian of each State in the Union, and of the Congressional Library at Washington; and that after reserving a copy for each of the officers of this Convention, and for the Law and Mercantile Library and Agricultural and Mechanical associations, the remainder shall be forwarded in equal and proper proportions to the address of the members of this Convention.

On motion of Mr. Sheeley.

Resolved, That the President transmit a copy of the resolutions adopted by this Convention, to the President of the United States, and to each of the Governors of the States, as well as the Governor of Missouri.

On motion of Mr. Birch.

Resolved, That the thanks of this Convention are thus respectfully tendered to the Mercantile Library Association, for the use of their Hall, and to the Public Institutions of this city, and the proverbial hospitality of its citiizens for having rendered our session as agreeable as it could any where have been.

On motion of Mr. Brown.

Resolved, that the thanks of this Convention are thus tendered to the President and Directors of the Pacific Railroad Company for their courtesy to the members and officers of this Convention.

On motion of Mr. Foster.

Resolved, That J. E. D. Couzens, and J. P. Camp be allowed, each, five dollars per day, and G. W. Godford, two dollars and fifty cents per. day for their services during the sitting of this Convention.

On motion of Mr. Gantt.

Resolved, That the thanks of this Convention are eminently due to the President for the able, impartial, and courteous discharge of his arduous duties.

On motion of Mr. Sheeley, the Convention adjourned until the third Monday in December next.

STERLING PRICE,
President.

[*Attest.*]
SAM. A. LOWE,
Secretary.

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PROCEEDINGS

OF THE

MISSOURI STATE CONVENTION.

JEFFERSON CITY, February 28, 1861.

The Convention met in the Court House at 11 o'clock.

On motion of Judge ORR, Judge GAMBLE was called to act as Chairman *pro tem.*

Judge GAMBLE on taking the Chair spoke as follows:

"*Gentlemen of the Convention:* You have called me to assist in the permanent organization of this body. While I preside over you as temporary Chairman, we shall have nothing to do with the momentous questions which are finally to come before this body and be settled by its determination. I shall, therefore, in taking the position, not allow myself to dwell upon the topics and subjects which are thus to be considered and determined. One thing is certain, namely: that the interest of this land, of the State of Missouri, and, in a large measure, probably, the liberties and interests of the United States of America, may depend upon the action of this body; and, therefore, I trust that there shall be not only harmony in its deliberations, but that spirit which will give assurance to the land that here are assembled those who are wise and true men. In the selection of the officers who are to be permanent, the Convention can be at no loss, for there are within it those who, by experience and elevated position, are familiar with the discharge of the duties necessary to facilitate the business of the Convention. I apprehend there will be no difficulty in that respect, and that the Convention will find itself able to select from its members those whose action as the presiding, and other officers, will meet with the entire approval of the body. I suppose, gentlemen, that the nomination of a temporary Secretary is next in order."

Mr. WILSON nominated Col. Minor, of Cole county. The nomination was concurred in by the Convention, and Col. Minor called to act as Secretary *pro tem.*

On motion of Judge SHEELEY, the Rev. Andrew Monroe was requested to come forward and open the proceedings with prayer.

Rev. Mr. MONROE thereupon came forward, and invoked the blessings of Almighty God in the following words—the Convention *rising:*

"Almighty God! We bow down in Thy presence; we present ourselves before Thee, great Jehovah, God over all; forever blessed. We humble ourselves, as sinful creatures. In thus coming into Thy presence, we remember our origin; we feel our weakness and dependence; we desire to come to Thee, blessed God, for aid at this time of need and trouble. Forgive our many sins, and oh! God, forgive the sins of the country generally—of our portion of the country—of the State which we inhabit; blot out our iniquities, and purge us of all our sins, and lead us in paths of righteousness, we entreat Thee, for Thy name's sake; and let Thy blessing, merciful God, rest upon this body, now assembled to consult the great interests of the State and country generally. Oh! God, let Thy blessings rest upon this Convention; preside over the deliberations of the body; and grant that wisdom, and prudence, and forbearance, and conciliation, may characterize all their proceedings.

"Grant Heavenly Father, that Heavenly wisdom may rest upon them; that they may be guided in all their deliberations to do the greatest good. Bless our national country—bless this State and the States severally; and grant, Merciful Father, that we may be kept back from violence, war and bloodshed, and that all things may come to a happy termination for us, and redound to the glory of God. Pour out upon us the healthful influence of Thy spirit of grace and Heavenly wisdom. Guide us all by Thy counsel and save us finally, through Christ. Amen."

The Secretary called the roll, when the following gentlemen answered to their names:

Messrs. Allen, Bartlett, Bass, Birch, Bogy, Breckinridge, Broadhead, Bridge, Brown, Bush, Calhoun, Casey, Comingo, Drake, Dunn, Eitzen, Flood, Foster, Gamble, Givens, Gorin, Gravelly, Hall of Buchanan, Hall of Randolph, Harbin, Hatcher, Hendrick, Hitchcock, Holmes, Holt, How, Isbell, Jackson, Jamison, Kidd, Knott, Linton, Long, Marmaduke, Marvin, McClurg, McCormack, McDowell, McFerran, Meyer, Moss, Morrow, Norton, Orr, Philips, Pomeroy, Price, Rankin, Ray, Rowland, Sawyer, Sayre, Scott, Shackelford of Howard, Shackelford of St. Louis, Sheeley, Smith of Linn, Smith of St. Louis, Tindall, Turner, Waller, Watkins, Welch, Wilson, Woodson, Woolfolk, Wright, Zimmerman—73.

Absent—Messrs. Bast, Chenault, Collier, Crawford, Doniphan, Donnell, Douglass, Frayzer, Gantt, Henderson, Hill, Hough, Howell, Hudgins, Irwin, Johnson, Leeper, Matson, Maupin, Noell, Pipkin, Redd, Ritchey, Ross, Stewart, and Vanbuskirk—26.

A quorum declared present.

On motion, the members present were requested to come forward and hand the Secretary their credentials.

On motion of Gen. Watkins, the President was instructed to appoint a Committee of five to examine credentials and report to the Convention.

Agreed to, and Messrs. Watkins, Birch, W. A. Hall, Linton, and Orr, appointed as such Committee.

Mr. Orr moved to adjourn until to-morrow morning at 10 o'clock.

Mr. Wilson requested the gentleman to withdraw his motion, as it was proper to appoint a temporary door-keeper.

Mr. Orr withdrew his motion.

Mr. Rowland moved that a Committee of seven be appointed to report on Permanent Officers.

Mr. Welch suggested that the motion was premature. Permanent officers could not be nominated until after the Committee on Credentials had reported.

Mr. Rowland said his motion was not to present names to the Convention, but merely to designate the offices which it might be necessary to fill.

Mr. Broadhead suggested as an amendment to the motion, that the committee be required to report rules for the government of the Convention.

Amendment accepted by Mr. Rowland.

Mr. Rowland's motion was then put and carried.

The President appointed Messrs. Rowland, Price, Broadhead, Welch, Wilson, Hatcher, and Hendricks as the Committee.

Mr. Pomeroy moved that J. A. Davis be appointed temporary doorkeeper. Agreed to.

Mr. Welch moved to adjourn till 10 o'clock, but withdrew his motion at the request of Mr. Birch.

Mr. Birch moved that the Convention adjourn until 3 o'clock, then to meet in conclave for the purpose of determining whether the subsequent sessions should be open or what was called secret sessions. He said he had sufficient reasons in his own mind for making the motion, and trusted it would be agreed to by common consent.

Several members suggested the hour of 10 o'clock on Friday, instead of 3 o'clock, P. M.

Accepted by Mr. Birch, and Convention adjourned until 10 o'clock to-morrow (Friday) morning.

SECOND DAY.

Jefferson City, March 1, 1861.

Met at 10 o'clock. Opened with prayer.

The journal was read by the Secretary.

Mr. Birch remarked that if no gentleman desired to amend the record, he would move to execute the order of yesterday, in regard to secret session.

Mr. Wilson. Would it not be better to receive the credentials of gentlemen who have arrived since yesterday?

Mr. Watkins. I understand the members who came in since yesterday, have handed in their credentials already.

Mr. Birch. I was aware of that, and in making the motion now, to execute the order of yesterday, I renew the statement of the reasons which actuated me then. It is for the simple purpose of determining in conclave, whether our proceedings shall be in secret session or conclave, or open. I suppose the motion will scarcely meet with any opposition, that being the sole object.

Mr. Wilson. It occurs to me that perhaps it would be better before the Convention proceeds to execute the order for a secret session, that we should elect our permanent officers. That having been done, the Convention, if deemed advisable, could resolve itself into a secret session, for the purpose of considering the propositions made by the gentleman. I therefore move, if I can meet a second, that the Convention proceed to receive the report of the Committee on organization, which I understand is ready, and that then, if that report is approved, the Convention may further proceed to provide itself with the officers therein recommended, or such of them as they think necessary.

Mr. Birch. I regret exceedingly as the gentleman from Andrew is so near to my room that I had not conversed with him more freely, as to the objects. I am sure it would have prevented his motion. All I will say in that respect is that with the views I entertain of our duties here, and the hopes I entertain of the result of the deliberations of the Convention, I think that we should commence the good work right at the very point of electing our officers. I will but say here that I came here in the spirit of conciliation as a Missourian, meeting gentlemen, as I am aware, of almost every grade of opinion; that I anticipate that we shall leave here all of one mind, and I think that we should commence the work right at the starting point. I will not be more specific in addressing myself to such intelligence as this Convention represents. If it will be the pleasure of the Convention, however, that we should proceed publicly, and forego the execution of the order for the purpose of seconding the motion of the gentlemen from Andrew, I shall not complain.

Mr. Watkins. On yesterday a committee of five was appointed upon credentials, with instructions to report at ten o'clock this morning. That Committee has performed its duty and is now prepared to make its report. I will suggest to the gentlemen if it would not be more proper that that report should come in first. We shall then have official knowledge of who are the members of the body, but until that report is received we cannot have that knowledge.

The Chair. That is the natural order of proceeding.

Mr. Watkins. I will suggest to the gentleman then to withdraw his motion.

Mr. Birch. I will do anything whatever in courtesy to the gentleman, but I will suggest to the gentleman from Cape Girardeau, that in order to obtain his object he must move to forego the execution of the order for secret session.

Mr. Watkins. I would observe to the gentleman that I am acting *within* the order. This committee was appointed by the Chair, and has orders to report at 10 o'clock. We are now prepared to make the report. If it is the pleasure of the Convention we will report.

The Chair—The Chair is at a loss to know whether the motion of the gentleman from Clinton has been seconded?

Mr. Birch—I will state very briefly, that I made that motion merely in form. I suppose it to be imperative on the Convention to execute the order of yesterday, and although there appears to be a conflicting motion, yet it was, of course, contemplated that we should hear the report in conclave. I will not press the motion further, as I have no wish, whatever, to hear myself talk.

The Chair. If that motion is not pressed the report of the committee will be in order.

Mr. Watkins. Then, Mr. President, I will state that the special committee appointed yesterday to examine credentials, have performed that duty and instructed me to make the following report, which I desire the Secretary to read.

The Secretary read the report, which presents the same names as those contained in yesterday's dispatch.

Mr. Foster moved that the report be received, and the committee discharged.

Mr. Irwin. Before that report is acted upon, I desire to say that there are members of this Convention whose credentials have not been presented. The effect of this motion is that the committee will be discharged, and cannot hereafter examine credentials.

Mr. Watkins. I will observe that besides the evidence which the Committee on Credentials had before them, I went to the Secretary of State's office for the purpose of ascertaining from the returns who is elected, and found that there were counties which have not yet been heard from. So we were not enabled to make a full report.

The Chair. The Chair considers it the right of any gentleman who is elected, and has the evidence of his election with him, to present his credentials now and be admitted. I will ask the Secretary to perfect the roll accordingly.

Mr. Foster's motion was then agreed to and the Committee discharged.

Mr. Rowland, from the Committee who were instructed to designate the offices of the Convention and report rules for its government, made a report which was read by the Secretary. The Committee recommend that the following offices be filled: 1st, President; 2d, Vice President; 3d, Secretary; 4th, Assistant Secretary; 5th, Doorkeeper.

Also, that the rules adopted by the State Convention assembled in Jefferson City on the 17th of November, 1845, be adopted as the rules of the Convention, excepting rules numbered 41, 42 and 44, and all but the following words of rule 49: No member shall be allowed pay for any day that he shall be absent from the session of the Convention, unless prevented by sickness.

Also, that 150 copies of these rules be printed for the use of the Convention.

Also, that each delegate, before entering upon the discharge of his duties, be required to take an oath to support the Constitution of the United States and of Missouri.

Also, that each officer of the Convention, except the President and Vice President, be required to take such an oath, and besides, to swear that they will not divulge anything that has transpired in secret sessions.

Mr. Welch moved that the report be adopted. Agreed to.

Mr. Welch. I would inquire if the vote taken on the adoption of the report is considered as an adoption of the rules recommended by the Committee? If so, I would move that the Hon. Judge George W. Miller be requested to administer the oaths.

The Chair said that by adopting the report of the Committee, the Convention had agreed to the rules recommended therein.

Mr. WATKINS. I am not aware that it has been the practice of Conventions of this kind to take an oath of this sort. It strikes me as a little singular that we should be called upon to swear to support a Constitution which we may be called upon to alter as we please. I think no such action was taken in the Convention of 1845. I would inquire of the Chairman of the Committee whether he is aware that such an oath was taken by that Convention.

Mr. ROWLAND—I am not certain about whether they swore to support the Constitution of Missouri or not; but I suppose, when we act under the Constitution, we have the right to declare our allegiance to it.

Mr. BROADHEAD—I was a member of the Convention, and I will state also that I am one of three members present who were members of the Convention of 1845–46. I am aware the journals of that Convention show that the members of that body were qualified and took their seats, but nothing appears on the journals to show exactly what that qualification was. My recollection is that they took an oath to support the Constitution of the United States and of the State of Missouri.

I know the question was discussed in that Convention as to whether that was an extra constitutional body convened within the purview of the Constitution, and we came to the conclusion, I believe, and it was the generally admitted opinion at that time, that that Convention, which proposed to change the Constitution, and actually undertook to change the law of the land, and to make a Constitution, which was submitted to the people, was within the purview of the Constitution, and that we had a right to make such alterations as we thought proper. It is true it did not come within the special provisions of the Constitution itself, but within the bill of rights which authorizes the people to change their form of government from time to time, as the emergencies of the case may require. We took the ground that it was within the purview of the bill of rights, and that until after the new Constitution was framed, we were still bound by the Constitution of the State of Missouri, and the United States, which every officer had sworn to support. That was the view taken by the Convention, and my recollection is, that the oath was taken to support both Constitutions. If Governor Stewart is present he can give his recollection; I may not be correct.

Mr. STEWART. My recollection is, we took an oath to support both Constitutions. I recollect I had doubts at the time whether it was necessary, and I have those doubts to a certain extent yet, for it occurs to me that, if this body can, or has the power to, amend the Constitution, although done in a constitutional manner, yet it is not necessary to take an oath to support the Constitution which it is desired to alter or amend. But I think the object of this Convention was not only to amend the Constitution, but to disrupt our whole connection with the several States of the Union and with the General Government. My opinion is, that we did take that oath, and I believe I opposed it at the time, and I can see no reason for it, yet I don't see how we can upset the Constitution and support it at the same time. [Applause in the galleries.]

Mr. BIRCH—I have made up my mind, and am as ready to take the oath as any man, but as the question has been raised, I concur entirely with the gentleman who has signified his reasons for believing that that act which called us together contemplated no oath. I supposed from the wording of that act that it was anticipated that we might pass an ordinance of secession that would be extra constitutional, and in derogation of the Constitution of the Union. I therefore think the Convention will conform to the legislative enactment if they decline to swear at all. Such would comport with my taste, but I have no doubt my conscientiousness will be the same in each case. I don't believe the oath was ever contemplated, and I think would be criticised and liable to great criticism if we took an oath.

The Chair. There is no proposition before the Convention. The discussion has been made in reference to the resolution which has been adopted.

Mr. POMEROY. I move to reconsider the vote by which the resolution was adopted.

Mr. W. P. HALL. I move to lay the motion to reconsider on the table.

Mr. SAYER. I call the ayes and nays.

The Chair. I believe there are no rules for that purpose.

Mr. WELCH. The Convention has adopted certain rules which require the roll to be called.

Mr. WATKINS. I suggest if every member has not the right to demand the ayes and nays.

Mr. WELCH. The 34th rule which has been adopted, declares any member shall have the right to call the ayes and noes on any question.

The Chair. Not having read the rules, was not aware of that fact.

Mr. STEWART. Is it proper to make a remark before the roll is called? If so, I wish to say I was called upon for an explanation in reference to my opinion concerning that Convention. I stated that I believed we were compelled to swear to support the Constitution of the United States and of Missouri. I thought it would be proper not to take that oath, because I do not believe that in a body of this kind we are bound to take the oath. I think it would be proper however in order that the people of the State may know that we are governed by the same rules that govern the Legislature and other deliberative bodies. I shall therefore vote against a reconsideration.

Mr. **Pomeroy.** By leave of the Convention I will withdraw my motion to reconsider.

Mr. **Howell.** Then I will renew it. I am a pretty good Union man, but I do not desire to be sworn to passive obedience at the start. I am a part of the people in that district, here, and I hold myself to be a member of this Convention, with or without an oath. Suppose I refuse to take an oath, is there any means of enforcing it, of turning me out of the Convention, any means of debarring me or any other member of the Convention, from its privileges? If we should refuse to take the oath, I hold there is no law by which it can be done, and I think there is, therefore, an impropriety in adopting a rule which cannot be enforced. I therefore renew the motion to reconsider. I am as good a Union man as any in this Convention, yet at the same time a contingency may arise so that this oath would embarrass me, there being no means of enforcing it whatever. I therefore renew the motion to reconsider.

Mr. **Wright.** I shall vote against a reconsideration, sir, and I will say a word or two in regard to the value of this obligation. I will not go into the question whether it can be enforced or not, because independent of that I see some valuable results that will flow from the application of this touch-stone of patriotism to the minds of the delegates of this body. I hope no man will refuse to support the Constitution of the United States. I think this body is unlimited, save by the Constitution of the United States, and the only objection I have to that limitation is that it is not strong enough to hold everybody in the Union. I was glad to see it, because I look upon it in the light of a test question. If there is an unsound secession spot in the heart of any person, this oath will be apt to feel about him and occasion some flinching when he is called upon to take an oath to support the Constitution of the United States. I was glad the committee furnished that sort of practical test of how far men had gone out of the Union, either in imagination or intention. I am glad the opportunity has been presented for gentlemen to renew expressions of unequivocal allegiance to the Union of the States. In regard to the other portion of that oath, if I had had the framing of the rules, I should have dispensed with it entirely; but still I do not think there is any incompatibility in taking an oath to support the Constitution of this State by a body that may or might, (I do not say would,) upset the Government, and frame a new Constitution for the people of the State, because the Constitution of the State expressly recognizes that right in a plain provision of the declaration of rights, by which the people can change, alter, or modify their form of government as they may think proper, provided they take a republican form, and provided they do not hurt something more sacred still—the Constitution of the Union. (Applause in the galleries.) I am therefore for this oath, especially for the first and larger oath, an oath that involves the widest circle of patriotism, and without which there can be no successful patriotism anywhere.

Mr. **Givens.** I am in favor of a reconsideration and opposed to laying on the table, as it occurs to me from the act calling this Convention that the whole matter is thrown open. I supposed the object of this Convention was to consider the relations of this State to the General Government. I perhaps may be mistaken in regard to the matter, but I have been laboring under that impression. So long as no difficulties had arisen in the Government, of course, if we had been called here to form a new Constitution for the State of Missouri, then I grant that the oath to support the Constitution of the United States would have been proper; but when we are called to consider the relations which this State may sustain towards the General Government, relations in which, in some events at least, it was contemplated that there might be a severance of the State from the General Government, and I do not say now in advance that I would be in favor of such a project; but I say distinctly that events may arise, how long I know not, within ten days perhaps, within a month perhaps, which would make it necessary for this State to dissolve its connection with the General Government. This may be language too strong, but I make it on this preliminary motion, not that I am committed to this course of action, but that I believe a state of case may arise during the sitting of this Convention, that we may be called upon to dissolve that connection which binds the State to the General Government. Under that impresion, I would hesitate to take an oath which no one is asked to take. There can be nothing inconsistent in the position which I occupy. I stand here as a citizen called from a remote part of the State to act the part which has been imposed upon me, and I say there ought to be no obligation in view of the circumstances which surround this occasion, there ought to be no obligation in regard to this matter.

Mr. **Wilson.** As I look at the matter, there were two reasons which actuated those who voted for this Convention. Some voted for it for the object, as I believe, of disrupting the relations that now exist between the people of Missouri and the Government of the United States. Others, I am persuaded, aided in the calling of this Convention, for the purpose, if possible, of settling all the difficulties that have existed and do exist between the people of Missouri, and the people of the United States and the Government thereof. But I do not regard this Convention as a revolutionary Convention. This Convention was called by the Government existing, and therefore to all intents and purposes, cannot be revolutionary. Whenever the people of the Government desire to overturn their Government, whenever in their wisdom they shall deem it expedient to upset the Government under which they live by revolutionary effort, I think in all probability they will not go to the government for the power to hold their Convention, but they will proceed without any authority from the existing government to put the machinery of the new government in operation to supersede the old government. Now I am ready to take the oath, and I hold it is not inconsistent with any duties that may arise in the discharge of my duties as a member of this Convention. I do not suppose it is contemplated by the members of this Convention to meddle with the State Constitution; but if they should determine to do so it will not be inconsistent with the oath which they are required to take by the recommendation of this committee. If they determine to frame a new Constitution and submit it to the people, that act as contemplated by the existing Constitution is not in violation, and hence it is Mr. President that I think it is eminently proper that the members on this great occasion—perhaps the greatest that ever existed in Missouri—should show the people of this State, and of the whole Union of States, that they are loyal to law and order—[applause in the galleries]—and all the precedents which has heretofore sustained our happy relations, not only with the people of Missouri, but with the people of the United States. I do not hold that, because we take this oath as members of this Convention, that we shall submit to a wrong from the General Government or from the government of the State of Missouri, or from any other quarter. We swear to support the Constitution of the United States and of the State of Missouri, as they exist at present. We say nothing about the execution of the laws passed under this Constitution; we do not take into consideration the violations of this Constitution that may exist, or that may hereafter arise, but we swear simply to the fact that we will uphold the principles of the Constitution as they exist, both State and National. [Applause.]

Mr. Redd. So far as I am concerned, I think a state of case may arise—I hope it will not—in which this State will be driven to one of two extremities, to surrender her institutions or a severance of her connection with the Northern States of this Confederacy. [Slight applause in the galleries.] I say, taking that view of it, I have no objection to taking this oath, for this plain, palpable reason, that I believe if Missouri is placed in that position and may thus elect to sever her connection with the Northern States, that she is not violating the Constitution, but that she is exercising an inherent right, a part of her original sovereignty reserved to her by that instrument. But I know there are gentlemen who are for the Union as much as myself, and ready to do anything for its preservation, but yet, when we are driven, either to a surrender of these constitutional rights, or a severance of our Union with the Confederacy, will go, like myself, for a severance of that Union. They differ with me in this. They believe the exercise of that right inconsistent with the Constitution, and in violation of it, and for the reason that they entertain that view I am in favor of this motion to reconsider and leave them to act as their constituents wish them to act, and as the safety of the institutions of the State may require them to act. I shall therefore support this motion.

Mr. Birch. Would it be in order to renew the motion to execute the order of yesterday for a secret session. If it would be I think we have had demonstrative evidence in the hissses or applause which we have heard, to show why that order should be executed.

The Chair. That depends upon whether the mover of the motion now pending will withdraw it.

Mr. Birch. I ask the gentleman if he will withdraw his motion, in order that I may renew mine. I offer no vindication for so doing, except what has proceeded around us. In saying this I make no reflection upon gentlemen in the gallery. I know what human feeling is; but I think we should be removed from its influence.

Mr. Howell. To give the gentleman an opportunity to test the sense of this Convention, I will withdraw my motion, with the understanding that I will renew it.

Mr. Birch. Then I renew my motion for the purpose of determining whether our sessions shall be held hereafter publicly or privately.

Mr. Bogy. I wish to inquire if reporters are to be excluded.

The Chair. Every person not an officer will be excluded.

Mr. Bogy. I wish to amend by including the reporters in the House. [Laughter.]

A Voice. I move the ladies be included, also.

Mr. Birch. I will remark that we can settle all that in secret session, whether we will exclude or admit reporters or ladies.

Mr. Welch. I wish to inquire if it is in order, pending the calling of the ayes and noes, to withdraw a motion.

The Chair. The Chair has not examined the rules.

Mr. Price. It can be if there is no second to the proposition.

Mr. Knott. As the convention resolved yesterday to go into secret session, is not that the standing order.

The Chair. The proposition was made by the gentleman from Clinton yesterday, that the convention should adjourn until 10 o'clock, this morning, to meet in conclave for the purpose of considering certain questions that is whether the sitting of this convention shall be secret or open. One part of the proposition was that the convention should adjourn until to-day, at 10 o'clock.

The Chair regarded the object stated by the gentleman from Clinton, to meet in conclave, as a suggestion made to the minds of the Convention, of the proposition that would be met on this morning at ten o'clock, and not as a direct motion, and I submitted the question to the Convention in that form, but I find that the Secretary in recording the motion, has recorded it in the language of the gentleman from Clinton, and not as understood by the Chair. The Chair is therefore in the condition of having put the motion without reference to the language employed by the mover. I ask therefore, that the Convention solve the difficulty whether the journal shall be corrected as understood by the Chair, or whether the provisions of the motion, there recorded, shall be enforced.

Mr. Sayer. The question was put to me yesterday, whether we would adjourn until to-day, at 10 o'clock, and not whether we should meet in conclave. I did not vote yesterday to meet here in conclave to-day, and I think it would be more proper if that word was stricken from the journal. I do not think it constituted a part of our action yesterday. If it is competent, I move to strike out the word "conclave" in the journal. I believe we can determine in open session whether we shall meet in secret or open session.

Mr. Moss. For the purpose of relieving the Chair and shortening debate, I make a point of order. I contend these motions are all out of order; I contend the motion was to adjourn to meet to-day in conclave. I raise that question. The motions that have been made are all out of order, and it was our business to meet in conclave, and it was the duty of the Chair to exclude all persons not members.

Mr. Watkins. I think it is due to the gentleman from Clay to make a statement. On yesterday evening, the gentleman from Clinton made a motion to go into secret session. At the instance of several gentlemen he withdrew the motion for the time being, to give the Committee on Credentials time to report, but said he would renew it. The drift of his proposition was to go into secret session. Afterwards he renewed his motion in a different shape, and that motion was that the Convention adjourn to ten o'clock this morning, when we would go into secret session.

Mr. Moss. I merely made my motion at the suggestion of the Chair. I understood he desired an expression as to whether we had adjourned to meet privately.

Mr. Wilson. It occurs to me that the motion to correct the journal will have precedence over all other motions.

The Chair. The Convention then will regard the question before it as a motion to correct the journals, by striking out the words, "to meet in conclave."

Mr. Birch. It is suggested to me that I state my motion. I made the original motion to adjourn until 3 o'clock, so that we could go into conclave, and determine whether we would have a secret session. Some one suggested 10 o'clock, and presently two or three others suggested that the Committee could not report at three o'clock. For that reason, the motion to adjourn to 10 o'clock, was adopted, and I know it was not the intention of the Chair to cut me out of my motion by stating it in different language. I am willing that the question shall be taken on amending the journal, but I would suggest that those who were not here yesterday cannot vote understandingly, and that, therefore, the question will be more directly reached by some member moving to postpone the subject of holding a secret session.

Mr. Moore. it seems to me the motion I made brings this question directly up.

Mr. Stewart. In order to get at the matter, I move the resolution of yesterday be postponed. I do not think it necessary that we should go into a secret session. We are met here as the representatives of the people, upon the most important question that ever has or ever will be gotten up—a proposition whether we will stand by the Union, or in a contingency dissolve our connection with it.

The Chair. The question is on amending the journal. Those who consider that the vote of yesterday was to meet in conclave will vote against the correction of the journal, and those who understood that we were to meet in open session will vote for the correction of the journal.

Mr. Gantt. I suggest that those who were not here yesterday shall not be allowed to vote.

Mr. Smith. It is a matter of fact that there was no such motion put to the Convention as to meet in conclave. Now, if the gentleman had made the motion to adjourn to St. Louis, and the Chair had put the motion to simply adjourn, would we have been bound to have adjourned? All we have got to do is to vote what the action of the Convention was.

The vote was taken and the motion to correct the journal was sustained—Ayes 48, noes 39.

The vote was then taken on the motion to lay on the table the motion to reconsider the vote by which the resolution requiring the members to take an oath to support the Constitution of the United States and the State of Missouri was adopted.

The motion was laid on the table; ayes 65, noes 30, as follows:

AYES—Messsrs. Allen, Bass, Bogy, Breckinridge, Broadhead, Bridge, Busch, Calhoun, Cayce, Chenault, Donnell, Dunn, Eitzen, Flood, Foster, Gamble, Gantt, Gravelly, Hall of Buchanan, Hall of Randolph, Harbin, Henderson, Hendricks, Hitchcock, Holmes, How, Irwin, Isbell, Jackson, Jameson, Johnson, Kidd, Leeper, Linton, Long, Marvin, Maupin, McClurg, McCormack, McDowell, Meyer, Morrow, Moss, Noell, Norton, Orr, Philips, Price, Rankin, Ray, Ritchey, Rowland, Scott, Shackelford of St. Louis, Smith of Linn, Smith of St. Louis, Stewart, Tinkall, Turner, Welch, Wilson, Woolfolk, Wright, Van Buskirk, Zimmerman—65.

NOES—Bartlett, Bast, Birch, Brown, Collier, Comingo, Crawford, Douglass, Drake, Frayser, Givens, Gorin, Hatcher, Holt, Howell, Hudgins, Knott, Marmaduke, Matson, Pipkin, Pomeroy, Redd, Ross, Sawyer, Sayer, Shackelford of Howard. Sheeley, Warren, Watkins, Woodson—30.

After the vote was announced Mr. HUDGINS said, I desire to be informed if it is obligatory on members who are not willing to take the oath if they are to be sworn in. I understand this law calling a Convention, but I did not understand it as requiring an oath. I do not know but my duty as a member of the Convention may require me to give votes that might come in conflict with that oath. I know but little of the future, and if this is obligatory I should not like, at this stage of affairs, to take an oath. I desire to say that I do not want it to be understood that I am in favor of severing the relations of this State to the General Government, but I know not what may be the result. I understand this to be a People's Convention; I understand that I will have the right to ask of the General Government a change of the constitution of the United States, which we are required to be sworn to support; for the proposition for peace looks to that point, that the constitution is not sufficient, as construed by one portion of this confederacy, to make peace in this Union; to require members of the Convention to take an oath, is, as I understand it, taking the oath of a submissionist.

Mr. ORR. For the information of gentlemen, we are not going to take an oath because of any law passed by the Legislature, but because of a rule that has been adopted this morning by a vote of 65 to 30.

Mr. SHEELEY. I was one of those who voted against laying on the table. Twenty-five years ago, I took an oath to support the Constitution of the United States, and of the State of Missouri, and that oath is now upon record. I consider the first oath just as binding, as though I were to take one to-day, and should the event occur to which the gentleman alludes, that war may be declared and the State of Missouri called upon to seek protection, or aid from coercion, I for one am ready to fall back on the revolutionary rights of the fathers, and afford such aid.

Mr. PRICE. The gentleman inquires whether he would be bound to take an oath under the resolution. That resolution is the law of this Convention, and binding upon every member, but any member has the right to violate that law. Yet it becomes the imperative duty of the presiding officer to impose it, if not by one way to do it in another. I am surprised that the gentleman from Andrew should have any hesitation. If I recollect aright, it occurs to me that he is a practicing lawyer, and every lawyer in the land takes an oath to support the Constitution of the State and the United States. We are bound to obey and support that Constitution as long as it exists. I have taken an oath to support the Constitution, and that oath is binding upon me now, yet I have no compunctions of conscience about renewing it.

Mr. KNOTT. I voted against laying the proposition to reconsider on the table, because I conceived the practical question involved should be first considered, and that is, suppose any delegate here refuses to take the oath, we cannot compel him to do it—are you then to disfranchise him and the disirict he represents? So far as I am concerned, I am under obligations to support the Constitution of the United States and of this State, and, whether under that obligation or not, I expect to support those Constitutions, and no act of mine will violate either one of them. I voted against laying on the table, because I wanted this other question settled before hand. I do not know that any gentleman will refuse, but we ought to consider what to do in case he does.

Mr. WILSON. I do not see much difficulty in the whole matter. Every one of these gentlemen who has a license to practice law is already under this very oath. I took it some thirty years ago, and I think it still rests upon me, but I have not the slightest hesitancy to renew that oath upon this occasion or any other occasion as the necessity may require. I see nothing inconsistent about it.—Every member of this honorable Convention is already under this oath, because I see there are a great many lawyers here.

Mr. HUDGINS. If the lawyers' license spoken of binds me to support the Constitution, the question presents itself to every lawyer, Why swear him over again if this oath is the same as the oath he practices law under? The action of this Convention, then, will be none other than the action between a lawyer and his client; then why swear him over again?

A **Voice**. You can't swear a lawyer too hard.

Further discussion here closed and the delegates then came forward and were sworn in by Judge Miller, after which the Convention adjourned.

AFTERNOON SESSION.

Convention re-assembled at 3 o'clock P. M.

Mr. **Sheeley** moved that the Convention now proceed to the election of permanent officers. Agreed to.

The Chair announced nominations for President to be in order.

Mr. **Broadhead** nominated the Hon. Sterling Price.

Mr. **Hatcher** nominated Gen. Nathaniel W. Watkins.

Mr. **Turner** nominated the Hon. Sample Orr.

Mr. **Orr**. I believe for about forty years I have had the presumption that has enabled me to undertake anything, almost, I have been called upon to do; but upon this occasion, having never been a member of any deliberative assembly, I shall have to beg the gentleman to withdraw my name, after thanking him kindly for the partiality manifested in my behalf.

Mr. **Turner**. I will withdraw the name of Judge Orr in accordance with his own suggestion. I did not consult the Judge, but I supposed the Convention wanted some good looking man for President, and so I nominated him. [Laughter.]

No other nominations being made, a vote was taken with the following result:

For General **Price**.—Messrs. Allen, Bass, Bast, Birch, Bogy, Breckinridge, Broadhead, Bridge, Brown, Bush, Calhoun, Chenault, Comingo, Crawford, Donnell, Douglass, Drake, Dunn, Eitzen, Frayser, Flood, Foster, Gamble, Gantt, Gravelly, Hall of Buchanan, Hall of Randolph, Harbin, Henderson, Hendricks, Hitchcock, Holmes, How, Irwin, Isbell, Jackson, Johnson, Kidd, Knott, Linton, Long, Marmaduke, Marvin, Matson, Maupin, McClurg, McCormick, McDowell, Meyer, Morrow, Moss, Norton, Orr, Phillips, Pomeroy, Ray, Redd, Ross, Rowland, Sawyer, Scott, Shackleford of Howard, Shachelford of St. Louis, Sheele, Smith of Linn, Smith of St. Louis, Stewart, Tindall, Turner, Waller, Watkins, Woolfolk, Wright, Vanbuskirk and Zimmerman—75.

For General **Watkins**—Messrs. Bartlett, Cayce, Collier, Givens, Gorin, Hatcher, Holt, Howell, Leeper, Noell, Pipkin, Price, Rankin, Sayers, and Woodson—15.

Hon. **Sterling Price** having received a majority of all the votes cast, he was declared duly elected President.

Mr. **Hall**, of Buchanan, moved that a committee of three be appointed to inform Mr. Price of his election and conduct him to the chair. Agreed to.

The President appointed Messrs. Hall, Broadhead and Chenault as such committee, who thereupon conducted Mr. Price to the chair amid much applause.

Mr. **Price**, on taking the chair, spoke as follows:

I thank you, gentlemen of the Convention, for the honor you have thought proper to confer upon me, in selecting me to preside over your deliberations. It is under no ordinary circumstances in the history of our State and of the Union, that we have assembled in Convention. It may require a life-time to retrace one false step. Hence the necessity of calm, deliberate and dispassionate thought and action on the part of this Convention, which cannot be had without order and decorum in this body. I shall hope, gentlemen, to be able properly to apply the rules which you have adopted for your government, with your kind forbearance and assistance. Without your assistance, your presiding officer can accomplish nothing. I again thank you, gentlemen, for the honor you have been pleased to confer upon me. [Applause.]

The **Chair** announced nominations for Vice President to be in order.

Mr. **Brown** nominated Mr. Robert Wilson.

Mr. **Hall** moved that the nomination be concurred in unanimously.

Agreed to, and Mr. Wilson announced duly elected Vice President.

Nominations for Secretary being next in order,

Mr. **Rowland** nominated Mr. M. R. Cullen, of St. Louis.

Mr. **Sawyer** nominated S. A. Lowe, of Pettis county.

Mr. **Hall** nominated M. J. Thompson, of Buchanan county.

Mr. **Gamble** nominated R. J. Lackey of Jefferson City.

Mr. **Welch** nominated Col. Grover of Johnson county.

Mr. **Knott** nominated Mr. Fox of Callaway county.

Ballots were taken with the following result.

First Ballot—Cullen, 16; Lowe, 26; Thompson, 12; Lackey, 22; Grover, 13; Fox 5.

Second Ballot—Cullen, 15; Lowe, 27; Thompson, 11; Lackey, 27; Grover, 11; Fox, 3.

Names of Thompson and Fox withdrawn.

Third Ballot—Cullen, 16; Low, 35; Lackey, 34; Grover, 10.

Names of Cullen and Grover withdrawn.

Fourth Ballot—Low, 51; Lackey, 44.

Mr. Low having received a majority of all the votes cast, he was declared duly elected Secretary and qualified by taking the oath.

Nominations for Assistant Secretary being next in order, the following gentlemen were nominated:

By Mr. Knott, James McHenry of Cole county.

By Mr. Orr. Mr. Shellady, of Camden county.

By Mr. Irwin. Mr. Gilstrap, of Macon county.

By Mr. Henderson. R. A. Camel, of Pike county.

By Mr. Douglass. T. Baknhead, of Cooper county.

By Mr. Holt. M. Singleton, of Phelps county.

By Mr. Long. D. R. Risley, of St. Louis.

By Mr. Chenault. D. Kerr.

Ballots were taken, with the following result:

First Ballot: McHenry 13, Shellady 12, Gilstrap 24, Camel 28, Kerr 8, Bankhead 6, Singleton 2, Risley 1.

The names of Bankhead and Singleton withdrawn.

Second Ballot: McHenry 14, Shellady 9, Gilstrap 33, Camel 33, Kerr 4, Risley 2.

The names of Kerr and Risley withdrawn.

Third Ballot: McHenry 9, Shellady 9, Gilstrap 33, Camel 42.

Names of Shellady and McHenry withdrawn.

Fourth Ballot: Gilstrap 35; Camel 58.

Mr. Camel was declared duly elected Assistant Secretary.

Nominations for Doorkeeper being in order, the following gentlemen were nominated:

C. P. Anderson, John E. Davis, Andrew J. Russell, Thomas J. Ferguson, John D. Jackson, William Vanover, Nathaniel Dorris.

First Ballot: Anderson 28; Davis 10; Russell 11; Ferguson 12; Jackson 8; Vanover 16; Dorris 8.

Mr. Anderson receiving 52 votes at the second ballot, he was declared duly elected Doorkeeper.

The President declared the permanent organization of the Convention complete.

Mr. Hall, of Randolph, offered the following resolution:

Resolved, that when this Convention adjourns to-day, it will adjourn to meet in the Mercantile Library Hall, of St. Louis, on Monday morning next at 10 o'clock.

Mr. Hall, in explanation, spoke as follows:

I understand, Mr. President, that the use of the Library Hall has been tendered us by the proper authorities in St. Louis, and that it is very well adapted for the purposes of this Convention. I have also understood that we have been tendered our passage free to St. Louis on the Railroad. This room, I think we must all see, is very ill suited to the discharge of our business. I am informed that, in point of convenience, comfort to the members, and economy, we shall gain by going to St. Louis. On that account I have offered that resolution.

Mr. Harbin—I hope that this resolution will not be adopted. There have been arrangements made here at the cost of the State for the accommodation of the members of this Convention, and now, sir to adjourn from this place to St. Louis, or any other place, and waste time, which is money to the State, is out of the question. I am opposed to adjourning from this to any place, and, sir, I move to lay the resolution on the table.

The motion to table was put and lost by the following vote.

For Tabling—Messrs. Bass, Bast, Bogy, Calhoun, Cayce, Chenault, Crawford, Douglass, Drake, Frayser, Flood, Foster, Givens, Gorin, Gravelly, Harbin, Hendricks, Jackson, Jamison, Johnson, Knott, McClurg, McDowell, Morrow, Orr, Rankin, Ray, Ritchey, Ross, Sayer, Scott, Shackleford of Howard, Stewart, Waller, Welch, Wilson, Woodson, Zimmermann.

Against Tabling—Messrs. Bartlett, Breckinridge, Broadhead, Bridge, Brown, Bush, Collier, Comingo, Dunn, Eitzen, Gantt, Hall of Buchanan, Hall of Randolph, Hatcher, Henderson, Hitchcock, Holmes, Holt, How, Howell, Hudgins, Irwin, Isbell, Kidd, Leeper, Linton, Long, Marmaduke, Marvin, Matson, Maupin, McCormack, Meyer, Moss, Noell, Norton, Philipps, Pipkin, Pomeroy, Price, Redd, Rowland, Sawyer, Shackelford of St. Louis, Sheeley, Smith of Linn, Smith of St. Louis, Tindall, Turner, Watkins, Woolfolk, Wright and Vanbuskirk.

The Chair. The question is now on the adoption of the resolution.

Mr. Hatcher. If this movement involved any additional expense to the State, I for one should vote against the resolution, but as I understand it will cost the State not one additional dollar, the Hall being tendered free of expense, and our passage over the railroad being free, I can see no objection to it. The Convention see how we are situated here. There are no desks, and we cannot write out a resolution or an amendment, should any of us feel disposed to do so. I will attach no blame to the Commissioner of Public Buildings, as he has no doubt done the best he could under the circumstances, but when we take into consideration the inconvenience of doing business here, and the facilities which I understand will be afforded us in St. Louis, I think we are fully justified in adopting the resolution.

Mr. Knott. I shall oppose this resolution. I believe the seat of Government is the proper place for holding the Convention. Although we may be put to some inconvenience here, I think there are considerations which, if properly weighed, ought to induce us to reject this resolution. While I admit that this Convention has the power to adjourn to any place in the State, it may see proper, while I feel thankful to the citizens of St. Louis, and especially the officers of the Mercantile library Association, for offering us their hall. Still, I must say sir, (and gentlemen here are aware of the fact, that there is a jealousy existing between St. Louis and the country, and by going there, this Convention will subject itself, unjustly I admit, but still will subject itself to censure by a large portion of the people living throughout the country. I am furthermore aware that there are many who seek occasion, seek a pretext to find fault with the action of the Convention, and I, for one, am not in favor of taking any step that will give them any additional pretext at all for saying anything in reference to the action of the Convention. Just as sure as we adjourn this body to St. Louis, we will subject ourselves to this censure, and I, for one, rather than that I should see that action made a pretext for any censure at all, will put up with great personal inconvenience, and I hope that the Convention will look at the matter in the same light. As to the matter of cost, I think it should not be taken into consideration at all; but we should have proper regard to the manner in which the country at large looks at the thing. Now the country at large cannot see and appreciate the fact as we do; it is impossible that they should; and however many our inconveniences may be here, I tell you the country cannot see them, and they expect us to hold our deliberations here.

Mr. Breckinridge. I rise to say only a word. I wish expressly to disclaim any purpose to take the smallest part in any discussion that may arise upon the proposition before the Convention. For myself, and I believe I may say also for the whole delegation of which I have the honor to be a member, we have thought it our duty scrupulously to abstain from saying a word calculated in any respect to influence the action of any member of the Convention touching this matter which, as we all know, has been somewhat discussed for a day or two. After saying this much, I wish simply to add that at the request of some members from the country, I telegraphed to St. Louis on the day before yesterday, and had early yesterday morning an answer to this effect, that I was requested, as were the other delegates from St. ~~Louis, to offer~~ to the Convention the free use of either one of the halls belonging to, and controlled by the Mercantile Library Association. One of these halls has a capacity of, I believe, from fifteen to eighteen hundred persons, and the other, I think, from five to eight hundred, being much larger than this room. Attached to both are several large and commodious rooms, which can be used for various purposes, such as the assembling of committees, which the body will no doubt need. I can only add that the offer is made in all sincerity; that the Mercantile Library Association, I am sure, would deem it a great honor if the Convention will accept their offer; and that for myself and my associates, and I may add also, for the whole people of the city of St. Louis, we will esteem it not only a pleasure, but an honor to have the sesions of this body in our city.

Mr. Knott. I should like to ask the gentleman if one or the other of these halls is supplied with writing desks?

Mr. Breckinridge. I can say, that, though neither of them is at this moment supplied with desks, still, I am willing to be responsible that either one will be supplied with all possible conveniences for the Convention, and that, too, without expense.

Mr. Knott. I would make motion that this resolution lie over until next Monday morning. I desire to remark that I have understood the House of Representatives will adjourn, and give their hall to this Convention, rather than see them go to St. Louis. [Laughter.] I therefore move to postpone the further consideration of this resolution until Monday.

The motion to postpone was put and lost.

The question recurring on the adoption of Mr. **Hall's** resolution, it was adopted.

The Chair. I have a communication from a gentleman who has come here as Delegate from the State of Georgia, which I desire to lay before the Convention. [Cries of "Read! read!"]

The Secretary read the communication, in which Mr. Luther I. Glenn announces himself as a Commissioner to the Missouri State Convention from the Georgia Convention, and desires the Convention to designate the manner in which he is to discharge the duties devolved upon him. The communication was accompanied with the following certificate from the officers of the Georgia State Convention.

State of Georgia—Whereas: The people of Georgia in Convention assembled, having authorized the appointment of a Commissioner to the States of Delaware, Maryland, Virginia, Tennessee, North Carolina, Kentucky and Missouri, to present to the Legislatures or Conventions, or in the event neither shall be in session, to the Governors of said States, the ordinance of the secession of Georgia, and to invite their co-operation with her and other seceding States in the formation of a Southern Confederacy: Be it therefore known that I, the President of said Convention, do hereby appoint Luther I. Glenn as Commissioner to the State of Missouri, with authority then and there to act, in conformity to said resolution.

In witness whereof, I, George W. Crawford, have hereto set my hand this 29th day of January, 1861. GEO. W. CRAWFORD, Pres.

Attest: A. R. **Lamar**, Secretary.

Mr. Hall. I understand that communication to suggest some very important considerations. I do not know what course to pursue in regard to it, except to lay it on the table, so that we can take it up and consider it next week. I move to lay it on the table, and that it be printed for the use of the Convention.

Mr. Sheeley. Would it not be well to add that the Commissioner be requested to address the Convention? [Cries of no! no!]

Mr Orr. Mr. President, I beg leave to say that we will do our own addressing here, if they will let us. [Laughter.]

Mr. Hall's motion was then put and carried.

On motion of Mr. Wilson, the Rev. Andrew Monroe was requested to act as the Chaplain of the Convention.

Mr. Wilson offered the following resolution, which was ordered to lay over informally:

Resolved, That a Committee of three be appointed to contract with two persons duly qualified to report the debates and proceedings of the Convention.

Mr. Birch offered the following resolution, which was adopted.

Resolved, That the thanks of this Convention are due to Gen. James Minor, for his courteous compliance with its request to act as Secretary pro tem., and for the prompt and able manner in which he has discharged that duty.

Mr. Welch. The Convention, in opposition to my vote upon that question, has determined to adjourn to St. Louis. The resolution, I believe, fixes the hour at 10 o'clock, on Monday morning, but as we learn from the gentleman from St. Louis that the Hall is not ready for the Convention, and as it cannot, perhaps, be ready before Tuesday, I would move a reconsideration in order to amend it.

Mr. Hall moved that the Convention now adjourn.

The motion to adjourn was put and carried.

Convention declared adjourned to St. Louis, to meet again on Monday morning, at 10 o'clock.

THIRD DAY.

St. Louis, March 4th, 1861.

Met at 12 1-2 o'clock.

Mr. President Price in the Chair.

Prayer by the Chaplain, Rev. Mr. Monroe.

Journal of Friday read and approved.

Mr. Gamble. I desire to offer the following resolutions:

Resolved, That a committee of seven be appointed, to be called the Committee on Federal Relations, who shall consider and report on the relations now existing between the Government of the United States, the government of the people of the different States and the government of the people of this State.

Resolved, That all propositions and resolutions that may be moved by any member of the Convention, touching the relations of Missouri with the Federal Government, shall be referred to the Committee on Federal Relations.

Mr. Birch. In view of the attaining the same object contemplated by the resolutions, I had prepared a resolution at Jefferson City, which I now offer as a substitute for the gentleman's resolutions:

Ordered, That a Committee be appointed to take into consideration the relations between the Government of the United States, and the people of the Government of the different States, and the Government of the State of Missouri, and to report to this Convention such exposition and address, as shall properly denote the views and opinions of those who look to the amicable restoration of the Federal Union, upon such adjustment of the past, and such guarantees of the future as shall render it eternal, permanent and enduring.

Mr. Birch. I will say at this time, in defense of my proposition, that with all proper respect to the mover of the previous resolution, we may as well come to the point set forth in my resolution, so that we may act expeditiously and understandingly. I suppose the words of my resolution need scarcely any explananation. I wrote it, supposing it would meet most probably the views of a majority of this entire Convention, and might go out as a glad sound through Missouri. I will add no more in view of the fact that we should decide at once.

Mr. Gamble. It will be perceived in reading the original resolution, and the substitute which is offered, that the original resolution comprehends the duty of considering and reporting on the relations between the Government of the United States, and the government of the people of this State. The substitute proposes simply to direct the committee that it proposes to have appointed to report an address.

I imagine that the first resolution, which I had the honor of offering to the Convention, comprehends all that is in the substitute, and a great deal more. This is a committee having power to report precisely such an address as the substitute contemplates, and to make any other report that the relations between the United States, and the people and the Government of this State may require. The second resolution is designed to create a standing body to which shall be referred all the propositions that may be suggested by gentlemen in relation to our Federal relations. This is the course adopted in the Virginia Convention. I think there is, in reality, no necessity for the substitute, except as it affords direction.

Mr. Knott. I offer the following as an amendment to the substitute: Amend by adding " and all propositions and resolutions involving the relations of this State to the General Government and to the other States of this Confederacy shall be referred to said committee."

The amendment was rejected, 40 to 43.

Mr. Birch. If it be in order, inasmuch as the substitute has been rejected, I will offer my resolution as a substitute for the first resolution offered by the gentleman from St. Louis. I am willing to vote for the adoption of the resolution offered by the gentleman from St. Louis. And now, I wish to say, that I merely desire the sense of this Convention at the start, whether they desire this mode of adopting such a measure as will look to the amicable preservation of this Federal Union, as contemplated by the language of my resolution. I hope my resolution will be adopted, as it will test the sense of the Convention and economize time.

The vote was taken, and the substitute of Mr. Birch disagreed to.

Mr. Gantt. I move to amend the first resolution by inserting "13," in place of "7." The object of the amendment requires explanation. In appointing such a committee, I think it is desirable that it should be composed of as large a number of persons as is consistent with the dispatch of business.

Mr. Ritchie. I move as a substitute for the amendment, to strike out thirteen and insert, one from each Senatorial District, to be agreed upon by the delegation from each district. Lost.

The amendment offered by Mr. Gantt was then agreed to, and the resolutions adopted.

The President laid before the Convention letters from Charles D. Drake, Esq., President of the Law Library, and Alfred Carr, Secretary of the Mercantile Library Association, inviting the members of the Convention to visit each Library during the session of the Convention.

A resolution appointing Wm. M. Burris, as page, was taken up and adopted.

Mr. Long. I understand there are many ladies who desire to be present during the session of the Convention, and as there are a number of vacant seats inside of the bar, I offer the following resolution;

Resolved, That the vacant seats inside the bar be tendered to the ladies who may desire to attend the Convention. Adopted.

Mr. Pomeroy. I offer the following:

Resolved, That a committee of three be appointed to wait upon the Hon. Luther J. Glenn, Commissioner from Georgia, and invite him to occupy a seat within the bar; and, also, to request him to signify his convenience as to when he can communicate with the Convention.

Mr. Wright. I offer the following as a substitute:

Resolved, That a committee of three be appointed by the Chair, to take into consideration the communication received from the Hon. L. J. Glenn, Commissioner from our sister State of Georgia, and report to this body what action shall be taken thereon.

Mr. Redd. I offer a substitute to the substitute:

Resolved, That a committee be appointed to wait upon the Commissioner accredited to this State by the State of Georgia, and inform him that this Convention will receive him at 1 o'clock, this day, and hear what he may choose to communicate on the subject of his mission.

I wish to state my reasons for offering this, Mr. President: I understand that the Georgia Convention assembles on Tuesday next; and it is the desire of Mr. Glenn to be present; and if the State of Missouri intends to extend to him that courtesy which every sovereign State owes to itself, in the reception of a Commissioner accredited by another State, it ought to do it now, for the reason that I have stated. He will be unable to remain with us the term, as I have been informed he intends to leave on the cars, this evening.

Mr. Sayer. I have a resolution which I desire to offer, with the hope that it may be accepted by the gentlemen from Marion.

The Chair. It is not in order.

Mr. Sayer. I will read it for information.

Resolved, That the Commissioner from the State of Georgia be invited to a seat within the bar of the house, and that the Convention designate this evening at 7 1-2 o'clock, in this Hall, as a fit time and place for the duties specified in his communication, and that a committee be appointed to execute the foregoing resolution.

Mr. Broadhead. I do not want to consume any unnecessary time on a point of order, but I submit that the proposition of the gentleman from Marion (Mr. Redd) is not in order. The gentleman from St. Louis offered a substitute for the resolution. The gentleman from Marion offered a substitute for the substitute. According to my recollection of the rules of parliamentary law, this is out of order, for it simply destroys the original proposition.

The Chair. The gentleman certainly has the right to introduce an amendment to the substitute and strike out all after the word "resolved" and insert the following.

Mr. Broadhead. Of course, sir, I do not question the right to amend the substitute.

The Chair. The gentleman desires to amend the substitute. I stated the question erroneously, I confess, sir.

Mr. Doniphan. I desire to know whether the gentleman from Marion is willing to accept the time as suggested—whether seven o'clock this evening will be acceptable to Mr. Glenn, and whether he desires to leave to-morrow.

Mr. Redd. I will state that I have had no communication with Mr. Glenn on that subject, but I have been informed that he desires to leave on the evening train.

Mr. Doniphan. This Convention has been called, not for anything in Missouri, not in relation to our own domestic condition, but called in view of the circumstances that surround us in this Union, in view of the rapid disintegration of this Government, to see if that cannot be arrested; and one of the means to arrest this disintegration, is to restore back the seceded States, and produce the harmony and homogeneousness that existed six months ago. This we can only do by according sympathy with the South. I do not agree with the doctrines of secession. I am far from being a secessionist, but if they come back, it will only be through fraternal feeling, courtesy, kindness, and respect. We are standing here between the North and the South as mediators, and as mediators, we cannot reject the proposition sent here by the State of Georgia, designating herself only as the State of Georgia, and sending her Commissioner to us; and the sooner we act upon this proposition, the better it will be for the purposes of harmony and Union. Mr. Glenn can say nothing but what every man can weigh and consider. I have been at Washington, where I have heard everything from Abolitionism to Secessionism, for the last forty days, and no man, who is a man, and acting here in a manly way, but is willing, I think, to hear what can be said. I am, therefore, for the original proposition, and hope that the hour of 12, to-day, will be designated as the time to hear him.

Mr. Wilson—I desire to vote for a resolution that will suit the gentleman's convenience, and if 12 o'clock will accommodate him, I am in favor of agreeing to that hour.

The Chair. Does the gentleman accept of the amendment?

Mr. Redd. I accept.

Mr. Pomeroy. I will state that while at Jefferson City, I roomed with Mr. Glenn, and conversed with him as to the time when he could address the convention. He designated that two o'clock to-day would suit him the best. I have introduced a resolution.

The Chair. Mr. Glenn informed me at 8 o'clock last night that he preferred 12 o'clock to-day.

Mr. Pomeroy. Then I have nothing further to say.

Mr. Orr. I am as able to withstand the arguments of a gentleman from Georgia, or an abolitionist from the North, as any gentleman here, but I am here representing in part a district composed of a people who are as liberal and as virtuous and as hospitable to strangers, as any other gentleman that is here to-day. I am also here to discharge the duties that I have voluntarily placed myself under in relation to the oath I took the other day. I have taken an oath that I will support the Constitution of the United States, and of the State of Missouri. I hold in my hand here a communication from Mr. Glenn, in which he says the people of Georgia, in Convention assembled, appointed commissioners to several States now in this Union, for the purpose of forming a Southern Confederacy. Now, from his communication I understand the mission of this gentleman to be to ask us to violate the oaths we have voluntarily taken—to ask us to co-operate with the Southern seceding States in doing—what? In perpetuating the blessings of this Government? No, sir; but to aid in tearing to pieces the best Government the sun has ever shone upon. He is here to-day, and called an ambassador by some. By others a commissioner. If he is an ambassador he has missed the right city. He should have gone to Washington. If he is here as a commissioner from a sister State, then the oath we have taken forbids that we should form an alliance with any other State in the Confederacy. Therefore, I shall oppose, for one, hearing this gentleman in Convention at all. I am willing to hear the gentleman, and treat him with all the respect that a citizen of a State that has long acted with us demands. Now, I am asked by some gentlemen, "Would you be so discourteous as to refuse to allow a citizen of another State to enter your house?" I say the citizen of a sister State, whether born in this or in a foreign land, who comes to my house in the image of his God, and I, not knowing anything of his intentions, the latch-string will always hang out for him, and he can come in; but if he comes to my house, and sends in a communication which shows to me that he intends to break up the peace of my family, he won't come in if I can help it. [Loud cheering outside the bar, and a few hisses.]

The Chair. (Rapping loudly with his hammer.) I will have the lobby cleared if there is any more cheering.

Mr. Orr. I hope no demonstrations will be made on one side or the other. We stand here probably in the most eventful day that has ever been known in our history. Events will date from this day which will long be remembered. To-day the inaugural address of Abraham Lincoln will be delivered, and much of the weal or woe of this nation depends on that address to-day; and in all probability the action we may take during the next hour will not only seal the destinies of Missouri, but blight the prospects of civilization. We stand here on the banks of the greatest river in the world, and a river I never will consent to have cut in twain by this government. We stand here to-day, in the midst of a city that will one day be the great commercial and manufacturing city of civilization, and I am unwilling to do anything which will blast its progress in the future. Now in regard to this gentleman from Georgia, I am willing to do what is right. I intend to vote against hearing this gentleman make a speech in our body, because I believe I am right, and that in so doing I am not acting discourteously. I do not believe the district I represent on this floor would have ever sent their representatives here, if they had declared to the people when before them as candidates, that they were coming to receive a proposition from seceding States, in order to go out and form a Southern Confederacy. I do not believe, if they had told the people that they were coming here to haul down the stars and stripes and run up the Palmetto flag, that they intended to swap the American eagle for the pelican, that they had determined to barter off "Yankee Doodle" for the African song "Dixie"—I do not believe, if they had done this, that a solitary individual would have been elected. Then, Mr. President, I shall vote against receiving this commissioner from Georgia, or from any State whatever. We are here—for what purpose? Not for secession—not for the purpose of tearing up this Government, because the people that have elected us have given, I don't know what majority, but Mr. Vest says in his speech a majority of 80,000, for the Union. I am not fearful this body is going to be influenced by the gentleman from Georgia, or any gentlemen that may come from South Carolina, Florida, or any of the seceding States, or even from Great Britain, which, I believe, seceded seventy-five or eighty years ago. Then I am not afraid this body is going to vote a secession ordinance, for if they do, the people of Missouri will vote it down. Without occupying further time, but acting in view of the responsibility resting upon me, I shall vote against receiving this Commissioner. I am willing he shall come here, and I am perfectly willing to adjourn and hear him speak, but if we invite a gentleman from a seceded State to address us, who asks this Convention to assist in breaking up this Union and form a Southern Confederacy, I shall vote against it, whether any other gentleman does so or not.

Mr. Smith, of St. Louis—I think the practical way to get at this matter, will be to lay the substitute on the table, until we reach the substitute we are willing to vote for, if we can get at it.

The Chair—I would remark to the gentleman that we will not be able to get at it in that way as the propositions will all go together.

Mr. Smith—I shall move to lay them all on the table except Mr. Wright's.

The Chair—Gentleman cannot do that.

Mr. Smith—I have not made the motion. I agree with the last speaker, that in the first place, this Convention has no right to hear this Commissioner at all, as a Convention, because he has avowed what he intends to say here, and we are not here for the purpose of listening to arguments in favor of dissolving this Union and joining any other Confederacy. While I am up, I wish, although it may not be strictly in order, but I am following the example of the House of Representatives last Saturday, when a gentleman was permitted to speak on this very subject that I now wish to speak upon; and, with such a precedent before me, I may be permitted to say a few words in regard to the removal of this Convention from Jefferson City.

The Chair. I will remark to the gentleman he is not in order; I hope no gentleman feels inclined to throw mud at any gentleman belonging to the General Assembly. [Laughter.]

Mr. Smith. I bow to the decision of the Chair, but I thought that a little answer to Mr. Vest would be allowed.

The Chair. I could not allow it.

Mr. Smith. I bow to the decision of the Chair. I for one protest against receiving that man in any shape whatever. But I am perfectly willing that the method proposed by the gentleman from St. Louis (Mr. Wright) should be adopted, and I think it as respectful as could be adopted. I do not see what better can be done, and that is the course I advocate—appoint a committee to consider and deliberate upon the subject, and report. It has been suggested by one gentleman that we should receive this gentleman, and then go on with our business. I propose that we go on with our business first. That is what we come here to do, and not to receive ambassadors from foreign States or from States in the Union even. If I am in order, I move to lay the last substitute on the table.

The Chair. That of course takes the whole subject.

Mr. Smith. Well then I move to lay the whole subject on the table.

The Chair. The better plan would be to take a vote on the amendment—either to vote it down or adopt it. If it is not adopted, then Mr. Wright's will be in order.

Mr. Smith. In the spirit of my remarks that we should not receive this Commissioner at all, I move to lay the whole subject on the table.

Mr. Doniphan. On that I call the ayes and noes.

Mr. Knott. I second it.

Mr. Breckinridge. I only wish to ask my friend to withdraw his motion.

Mr. Smith. At the request of my colleague, I will withdraw it.

Mr. Wright. I asked leave to so submit a proposition, without any word of explanation; but after what has transpired in this body, I deem it due to myself to intimate the purpose of that substitute to the original proposition. I regret, very much that the mode adopted by me for meeting and determining the relations of this body to the distinguished gentleman from Georgia, should have occupied so much time. But I had supposed, in point of fact, that a Committee appointed by this honorable body, would, in twenty minutes, determine this matter, I adopted this mode of receiving this Commissioner from Georgia, because I deemed it respectful to that State, and respectful to us,—because it would show that this body had not acted with that precipitancy which has, unfortunately, become an epidemic in this land in all matters touching the integrity of our great Commonwealth and the perpetuity of these States, because it would show that we had acted with that coolness and wisdom which would become statesmen. I will add that the substitute I offered had no such design as to cast a slur or ignominy upon this Commissioner from our sister State. That is not my object. My object was to treat him with the greatest respect and treat ourselves likewise with becoming consideration. My purpose was so to manage this affair as that we could maintain our self respect—maintain whatever views we have in regard to the present condition of public affairs and the relation in which we stand to the General Government and our sister States. That we could maintain that position with due respect to ourselves and becoming courtesy to our sister States, and at the same time have a due regard to that allegiance to the banner that hangs above us. My purpose, therefore, as will be seen in this resolution, was to show to our sister State of Georgia that we did not regard her as theoretically and legally outside of the pale of empire—that whatever her views might be, we regarded her in the bonds of sisterhood, and, so treating it, we could hear what she had to say, and so treating it as that nothing that could come from her would be regarded by the most ardent as solicitation to treason. It was with this view that I proposed that mode of proceeding, which would be respectful to Georgia, to ourselves, to our flag, and to those high obligations under which we have recently renewed our patriotic allegiance to our country. If such a resolution be passed we can then receive this gentleman at the earliest hour that may accommodate him.

The gentleman from Clay (Mr. Doniphan) says this matter demands grave and important consideration. I believe so too. I believe it to be so grave on all sides as to require at least a moment's deliberation, so that we may not follow in the footsteps of that precipitancy which unfortunately has brought about that disintegration of which he complains. Sir, I hold it especially to be the duty of Missouri to be calm, prudent and wise in this emergency. Her very history speaks the power in regard to this position of mediator and pacificator which she should take. She should occupy a middle ground in the temperate zone of politics, which she occupies in a geographical point of view; she should speak mildly and respectfully to all members of this sisterhood and brotherhood; she should speak mildly and fraternally to the North, erring as it has been; she should speak kindly and fraternally to the South, erring as it has been; and, at the same time, maintain the integrity of her allegiance to the Union, and show, by her wise and prudent counsel, that madness ought not to rule the hour, but that we should practically follow the example of our fathers, and entitle ourselves to the consideration of statesmen, by that cool, clear-headed, practical philosophy which distinguished them above the men of that time in all parts of the earth. The office of Missouri is that of a pacificator. She is entitled to it by her historical position in the family of States. She came in on one of those civil feuds that shook the nation's centre. As a sufferer, she is, perhaps, the greatest; and that very suffering ought to give her power to speak potentially. Thus much, sir—without desiring to occupy the attention of this honorable body—I have deemed proper to say in behalf of my proposition. I say that my sympathies are with the erring sisters of the South; aad I know the delicacy of the position occupied by this gentleman from Georgia: and I wish to put him in such a position as that what will come from him will not be treated as solicitations for treason or enmity to the flag of our Union. If these views obtain, I see how the conflict may be reconciled.

Mr. Hall, of Buchanan. It is now but a few minutes of 12 o'clock, and I therefore call the previous question.

Mr. McClurg. I would inquire, Mr. President—

The Chair. The gentleman is out of order.

Mr. McClurg. I simply rise for inquiry. I desire to know if the previous question should not be sustained, what would be the effect? Would it not make the whole subject lie over until tomorrow?

The Chair. Such would be the effect.

Mr. McClurg. Then I trust that the gentleman will withdraw his motion for the previous question.

The motion for the previous question was put and sustained.

The question next being on the adoption of the substitute offered by Mr. Redd, it was answered affirmatively by the following vote:

Ayes—Messrs. Allen, Barlett, Bass, Bast, Birch, Brown, Calhoun, Cayca, Chenault, Collier, Cornings, Crawford, Doniphan, Donnell, Douglas, Drake, Dunn, Frayser, Flood, Gamble, Givens, Gorin, Gravelly, Hall of Buchanan, Harbin, Hatcher, Holt, Howell, Hudgins, Kidd, Knott, Marmaduke, Marvin, Matson, McCormick, McDowell, McFerran, Moss, Noell, Norton, Phillips, Pipkin, Rankin, Ray, Redd, Ritchey, Ross, Sawyer, Sayer, Shackleford of Howard, Sheeley, Stewart, Tindall, Waller, Watkins, Welch, Wilson, Woodson, Woolfolk, Vanbuskirk, Zimmerman and Mr. President—62.

NOES—Messrs. Bogy, Breckinridge, Brodhead, Bridge, Bush, Eitzen, Foster, Gantt, Hall of Randolph, Henderson, Hendricks, Hitchcock, Holmes, How, Irvin, Isbell, Jackson, Jamison, Johnson, Leeper, Linton, Long, Maupin, McClurg, Meyer, Morrow, Orr, Pomeroy, Rowland, Shackleford of St. Louis, Smith of Linn, Smith of St. Louis, Turner and Wright—35.

Substitute declared adopted.

The Chair appointed Messrs Redd, Wright and Pipkin as the committee to wait upon Mr. Glenn.

Mr. REDD asked to be excused.

Excused, and Mr. Pomeroy appointed in his stead.

The committe retired to give notice to Mr. Glenn of the action of the Convention.

Mr. BIRCH said as the Convention had determined to have open session, he would deem it essential that the proceedings should be correctly reported. He was therefore in favor of securing the services of well qualified reporters.

Mr. WILSON called up the resolution offered by him on Friday, in regard to the same subject.

The resolution was read by the Secretary.

Mr. SHEELEY rose to inquire whether the Convention was authorized to appoint and pay its Reporters.

Mr. WILSON. I understand the law calling this Convention gives them all the power as to officers and servants which the Legislature of the State has. It has been customary under the rules, for a number of sessions, to pay reporters. I suppose, therefore, there is no question as to the authority of the Convention to employ and pay reporters if they think proper. And while I am up, Mr. President, I may as well say that I think it very important that this Convention should take the proper means to be reported correctly. It is supposed—in the country at least—that we are a body of an important character, and if we are reported at all, it is very proper and right that we should be *correctly* reported. For this reason I have offered the resolution.

Mr. HATCHER. I would ask, Mr. President, how and when the reports shall be published—whether in newspapers or pamphlet form, or how?

The CHAIR. The reports will be made for the use of the Convention, and the Convention may make any disposition of them, I imagine, which it chooses

The question was then taken on the resolution, and answered affirmatively.

Resolution declared adopted.

The CHAIR appointed Messrs. Wilson, Birch, and Hall, of Randolph, as the Committee.

Mr. FOSTER offered a resolution declaring W. D. Bartlett Sergeant-at-arms for the Convention, and said:

In presenting this resolution, Mr. President, I think it must be very apparent to this Convention that a Sergeant-at-arms will be necessary. Although the Committee, in making their report, thought proper, for reasons I suppose satifactory to themselves, not to designate such an officer as necessary in Jefferson City, yet it is evident we shall need one here. I have simply to add that Mr. Bartlett is well qualified to discharge the duties of Sergeant-at-arms. He is a worthy, respectable citizen, and resides North of the Missouri river, but is, notwithstanding, a good sound man. Laughter.]

Mr. SHEELEY offered as a substitute for Mr. Foster's resolution, that the Convention now proceed to the election of a Sergeant at Arms.

Mr. CHENAULT. I will call the Chair's attention to the thirty-seventh rule. It seems to me that our action is in conflict with that rule.

The CHAIR. The Chair is aware of that rule. This does not violate that rule.

The substitute was thereupon adopted, and the Convention proceeded to the election of Sergeant at Arms.

The following gentlemen were put in nomination:

W. D. Bartlett, of Macon county, John Stove, of St. Louis, Dr. J. M. Martin, of Callaway county, Calvin Paris, of St. Louis county, and Col. Grover, of Johnson county.

A ballot was taken with the following result:

Bartlett, 37; Stove, 1; Martin, 14; Paris, 2; Grover, 38.

The names of Martin and Stove were withdrawn.

The Convention was proceeding with a second ballot, when the committee arrived with the Hon. L. J. Glenn, Commissioner from the State of Georgia.

Mr. GLENN, after having been introduced to the President and the Convention, spoke as follows:

COMMISSIONER GLENN'S SPEECH.

Mr. President and Gentlemen of the Missouri Convention: On the 19th day of January, a Convention of the people of the State of Georgia adopted an ordinance of secession, which I beg leave to read and present to this Convention. They also adopted a resolution appointing commissioners to the various States, which I will read. [Mr. Glenn here read the ordinance of secession passed by the State of Georgia, and the resolution referring to his appointment as Commissioner.] Under that resolution, gentlemen of the Convention, I had the honor to be appointed a Commissioner from the State of Georgia to the State of Missouri, and having read and presented to you the ordinance of secession and the resolution, my duty might be considered as having been performed. It is, perhaps, however, due alike to the State which I represent, and the State of Missouri, that, with your permission, I shall accompany the execution of my duty with a few brief remarks. I propose to trespass upon your patience but a short time.

Georgia has not assumed this position because of any dissatisfaction with the Constitution, because of any dissatisfaction with the General Government when administered in accordance with the spirit of that Constitution. If her Northern confederates had been true to that instrument, if they had carried out the Federal Constitution according to its spirit and letter, Georgia, having been among the first to adopt the Federal Constitution, would have been among the last to have abandoned the General Government. The causes which have operated to induce and impel the State of Georgia, one of the old thirteen States, one of those which passed through the fire and blood of the Revolution, to sever the ties th at bound her to the Government of her fathers, have been enunciated, and read and understood of all men.

I do not, gentlemn, propose to enter into anything like a detailed history of the rise and progress, and present position of the anti-slavery feeling of the North. To do so would be a reflection upon yuor intelligence—an abuse of your indulgence, and an assumption on my part of an unnecessary task.

The first occasion upon which this feeling of hostility among the people of the Northern States assumed a position of hostility was, I believe, the application of your own people, then a Territory, for admission into the Federal Union. With the history and result of that struggle you are familar. I need not recite it. Without assuming a political aspect or organization, the Abolitionists a few years after this event formed societies; they established newspapers at different points. In New York, Boston and other places, they began to teach the mind of the rising generation. They began to preach their doctrines from the pulpit, and but a few years elapsed before this anti-slavery feeling had so far overcome and taken possession of the religious mind of the North that (as you remember in 1844) they deposed from office one of their ablest men, to-wit: Bishop Andrew, of Georgia, for no other reason than that he had intermarried with a lady in Georgia who was possessed of a few negroes in her own right. It was then, you recollect, that the Southern Methodists dissolved their connection with their fanatical brethren of the North. The same feeling and spirit of opposition to the Southern interest and institutions—the same fanatical spirit if you please—entered into the Baptist church and soon after brought about an effective separation of that denomination. And, in truth, gentlemen of Missouri, so far has this feeling taken possession of the mind of the North, that at this time there are but few places and few churches to be found on the Northern soil, where the Southern church, however pure and upright and devoted to its cause, would be allowed to proclaim its holy mission. As might have been expected, this feeling entered into the political organization of the country. The Abolition party of the North, for many years, only held the balance of power between the political organizations of the country, but it soon took possession of one of them and you know, as every man knows who has read the history of the political parties of the country, that the untimely end of the old Whig organization was attributable alone to this cause. Even Mr. Clay, with all his power, and with all his influence could not save the Whig organization from the withering effects and influence of this party. Gentlemen, some years thereafter another political organization, the American party, arose—as was said, on the ruins of both the old political organizations, discarding the evils of both, and combining the virtues of both. It lived for a while, so long as it was confined within the limits of State Governments, and you remember that no sooner than the delegates of this party from the North and South, in 1856, met in convention in the city of Philadelphia, than they disagreed and differed in reference to the slave question, and it was then that the delegates from the Northern States, or most of them withdrew and went into a convention with those of more congenial principles and tastes in the city of Pittsburgh, and there Mr. Fremont was nominated. You remember the platform upon which he was nominated, I will not take up your time by reading it. You will remember that the principle therein advocated was that it was the duty, the right and power of Congress to exclude the men of the South with their property from the common territory of the Union. You will further remember, gentlemen, what a contest there was in the election that followed. You vividly recollect that struggle, and that it was only after the most superhuman effort on the part of the Democratic party, the conservative portion of the people of the North, that Mr. Buchanan was elected.

Well, gentlemen, four years passed away. Within that time does the anti-slavery feeling o. the North subside? Is there any abatement of hostility of the Northern people towards the institutions and rights of the South? Why, within those four years what have the people of Georgia seen and witnessed? They have witnessed the formation of Emigrant Aid Societies for the purpose of sending men into the common Territories of the country for no other object than to exclude the men of Georgia and men of Missouri therefrom with their property. In that same time they have witnessed their own and your own people shot down, and the soil of Kansas moistened with the blood of your own people, for no other crime than the assertion and vindication of their own constitutional rights. Within that time, gentlemen, we have seen the Governor of a non-slaveholding State refusing to deliver a fugitive from justice upon the demand of the Governor of the State of Kentucky, for the reason, as they hold, that it is no crime to entice your slaves to leave you. Within that time Georgia has witnessed more than sixty Representatives of this organization at the North, endorsing and recommending the infamous sentiments contained in the Helper Book, and but for the indomitable perseverance of one of the Missouri Representatives in urging his resolution to that effect, she would have witnessed one of the men who endorsed the book elevated to the Speakership. She has witnessed, moreover, within these four years almost every State North of Mason and Dixon's line pass under the influence and power of the Republican organization of the North. She has seen within that time the true men, the constitutional men of the North cut down one after another, and in every case and on every occasion where the opportunity has occurred, every true and constitutional man in the Senate of the United States, with but one exception within the last four years, has been swept away and his place filled and occupied by a Representative of the Republican party.

She has seen within that time, as I have already stated, the States of the North pass under the influence and into the hands of this organization. It has seen their Executive, their Judicial and their Legislative Departments—all their offices, from the highest to the lowest, from the constable up through every intermediate grade to the Executive—filled with the representatives of the Republican organization. Not only so, but, within these four years, Georgia has seen an organized band descending upon the soil of Virginia, taking possession of the arsenal and property of the Government, and there pouring out the blood, shedding the innocent blood, of Virginia's citizens, for the avowed purpose of liberating the slaves of the South.

But, gentlemen, these four years have passed away, and the Republican organization—a sectional organization—existing alone in the Northern States; with the exception of a few thousand votes in the South; I say this organization, sectional, geographical—an organization against the formation of which, the Father of his Country warned the American people, met in Convention at the city of Chicago, and there proclaimed and published a platform of principles to the world. And, gentlemen, this same platform is to be found one in spirit and in object, to the one which was adopted in Pittsburgh in 1856; whereby it is asserted that Congress has the power and right, aye, and that it is its duty, to exclude the Southern man and his property from the Territories, belonging alike to the North and the South, to the East and the West. They nominated their candidates on this platform. They go before the people—the ides of November roll around—what is the result? Mr. Lincoln and Mr. Hamlin are elected by an overwhelming majority of the popular vote in the North.

Now, gentlemen, we have not only to look to the platform of this party for the principles and objects which they avow, but we must also look (and so the State of Georgia has done) to the principles and objects avowed by the candidates who have been elected by the Republican organization. Mr. Lincoln, the President elect, subscribes to the platform adopted in Chicago. Not only so, but he avowed the principles contained in it long before he was nominated, and enunciated the doctrine that Congress had the power to exclude the Southern man from going into the Territories with his property. He said that if he were a member of Congress he would *vote* to effect this exclusion, regardless of the decisions of the Supreme tribunal of the country. Not only so, but he has avowed the irrepressible conflict. Georgia saw all this and declared that the Northern mind would never become easy and quiet upon this question until it was satisfied that slavery was put in a course of ultimate extinction. Georgia has looked to his published declarations and opinions in order to ascertain the objects and views and opinions of the Republican organization. Not stopping there, she has looked to the declarations of the representative men of the Republican organization. She has looked to the views and opinions as expressed by Mr. Seward, Mr. Sumner, Mr. Wilson and others, both in and out of Congress, for the purpose of arriving at and ascertaining what was the ultimate object of the Republican organization in reference to the institution of slavery. She has not confined herself to them, but in order to ascertain more clearly, if you please, the object, she has gone into the county meetings and State Conventions, which may probably be a more true reflex of the principles and objects of the party, than the declaration of its representative men, and considered their action and resolutions. Looking at all these things—looking at the national platform; at the county and State platforms; at the declarations published of Mr. LINCOLN himself; at the declaration and avowals of the representative men of the party, Georgia came to the conclusion that it was the avowed object of the Republican organization to put slavery and the government upon such a track as that slavery might ultimately be put in a course of ultimate extinction—that it was their object to surround the slaveholding

States with a circle of free States, and thereby cause the institution (to use their own language) to sting itself to death. Seeing these things, believing, gentlemen of Missouri, that there was no hope in the future—looking to the end and seeing nothing but danger and destruction to her people and her best interests—aye, seeing that there was an antagonism, an irreconcilable antagonism, if you please, between the two sections of the country—believing, if you please, that there is a difference of principles, of civilization between the North and South, and feeling that this difference would never be reconciled, Georgia thought it was best there should be a peaceable separation. Hence, gentlemen, she has adopted her ordinance of secession, and she invites all slaveholding States to unite with her, and among them the State of Missouri—to unite with her in forming a Southern Confederacy—believing that, if they all will unite in forming a Southern Confederacy, we shall thereby have a government combining, as it were, every variety of soil and climate, embracing, as it will, a people homogeneous in views, in feelings, in sympathies and interests. With a government securing equal rights to all and every State and every citizen, she thinks that a future will be presented full of power and greatness to the Union, of happiness and prosperity to the people.

Mr. President and Gentlemen of the Convention: In the name of my State and for myself individually, I beg you to accept my grateful acknowledgment, for the kind reception and respectful hearing you have given me, (mingled applause and hisses among the audience, which lasted for some time, and was subdued with some difficulty by the President.)

The Secretary read the result of the second ballot for Sergeant-at-Arms, as follows:

For W. D. Bartlett, 39; Col. Grover, 54.

Col. Grover having received a majority of all the votes cast, he was declared duly elected.

On motion of Mr. Welch, the Convention adjourned to meet again on Tuesday, (this) morning, at 10 o'clock.

* * *

FOURTH DAY.

St. Louis, March 5th, 1861.

Met at 10 o'clock, A. M.

Mr. President in the chair.

The President. I will observe to the gentlemen of the lobby that good order should be preserved—that no cheering will be allowed on any occasion—that however disagreeable it may be to the presiding officer of this body to clear the spectators from the lobby, it will become his imperative duty to do so, unless order is preserved.

Mr. Campbell, Assistant Secretary, read the journal of yesterday.

The President announced committees as follows:

Committee on Federal Relations.—Messrs Gamble, Henderson, Redd, Hall of Randolph, Tindall, Doniphan, Hall of Buchanan, Watkins, Hough, Sawyer, Douglass, Chenault and Pomeroy.

Committee on Accounts.—Messrs. Shackleford of Howard, Pipkin and Harbin.

Mr. Hatcher suggested that the Hon. Harrison Hough, delegate from the 25th district, be sworn in.

The President requested Judge Breckinridge to administer the oath, who thereupon came forward and administered the oath to Mr. Hough,

Mr. Pomeroy. I rise for the purpose of stating to this Convention that Mr. Hill of Pulaski, a member of this Convention, is disabled from attending by sickness. I make this mention in justice to Mr. Hill.

The Chair. Does the gentleman make a motion?

Mr. Pomeroy. I suppose the mere mention of the fact is sufficient. I, therefore, have no motion to make.

Mr. Howell presented the following resolutions, for reference to the Committee on Federal Relations, which were read by the Secretary:

Resolved, That we, the people of the State of Missouri, by our delegates in Convention assembled, being ardently attached to the Union of the States in this Confederacy, and desirous of maintaining and transmitting it to succeeding generations according to the letter and spirit of the Constitution, which we regard as the highest effort of statesmanship yet made.

In view, however, that seven States have in their sovereign capacity adopted ordinances declaring their connection with the General Government dissolved, and have further declared that they are a confederated Government among themselves; and several other States are deliberating as to a withdrawal from the Union, and that in our opinion any force levied against said States that have declared this withdrawal, or that may so declare, by the General Government, would destroy all hope of reconstructing or preserving the Union;

Do earnestly remonstrate and protest against any and all coercive measures or attempts at coercion of said States into submission to the General Government, whether clothed with the name or pretext of executing the laws of the Union, or otherwise, and we declare that in such contingency Missouri will not view the same with indifference.

Resolved, That the President of the Convention cause a copy of the foregoing resolution o be respectfully laid before the President of the United States.

The CHAIR. The resolution goes to the committee without a motion.

Mr. REDD offered the following:

Resolved, by the people of the State of Missouri, in convention assembled, That we are unalterably opposed to the doctrine of coercion, believing that any attempt to carry it into practice would inevitably result in civil war, and forever destroy all hopes of preserving or reconstructing the Union.

And so believing, we deem it due to our Northern brethern to declare that it is the determination of the people of Missouri, in the event of any Southern State being invaded for the purpose of carrying such doctrine into effect, to take their stand by the side of their Southern brethren to resist the invaders at all hazards. [Applause in the lobby.]

The CHAIR. The Doorkeeper will require those persons who have been cheering to leave the lobby. The resolution just read will go to the committee without a motion.

Mr. GANTT. I think it would be very expedient that this Convention should give direction to the Sergeant-at-Arms to require all spectators to be seated, and not to admit any more as soon as all the seats are filled.

Mr. BRECKINRIDGE. I am informed that the Sergeant-at-Arms elect is not yet in the city.

The CHAIR. I received a telegraphic dispatch from him, stating that he would be here in the afternoon.

Mr. BRECKINRIDGE. The gentleman no doubt will be here as soon as he can, but in the meantime I would suggest the propriety of appointing Captain Couzins temporary Sergeant. Captain Couzins is well-known to all of us who are residents of this city and to his kindness we are already largely indebted. I have no doubt he would prove efficient.

The CHAIR. The gentlemen will please reduce their propositions to writing.

Messrs. GANTT and BRECKINRIDGE thereupon offered their propositions in writing, and they were severally adopted by the Convention.

The adoption of Mr. Gantt's resolution was the signal for a general rush for seats in the lobby.

Mr. HENDERSON offered the following resolution, which was adopted:

Resolved, That a committee of five members be appointed by the President, to whom shall be referred the communications made to the Convention by the Hon. Luther J. Glenn, Commissioner from the State of Georgia, and that they report to the Convention such action as they may deem a respectful and suitable response thereto on the part of this State.

On motion of Mr. PIPKIN, Master Long was appointed as a page of the Convention.

Mr. RITCHEY gave the following notice in writing: "I now give notice to the members of this Convention that I will on to-morrow move to rescind that part of the 18th rule adopted, making it the duty of each member making a proposition to read it in his place to the Convention.

Mr. SMITH, of St. Louis: Mr. President, I hold a resolution in my hand, providing for a new Committee, which I believe, will be of essential service to this Convention. There must be a great anxiety felt throughout the State, to know what this Convention will do, and what powers it possesses. Now, sir, there is a great anxiety also to know what it *will not* do. I am disposed by this resolution, to put matters in such a train that all will learn what the Convention will do in a very short time, that is, as soon as the committee has reported.

Sir, in the calling of the Convention, there are certain matters laid down that this Convention shall attend to, and although I do not acknowledge that the creator, as the Legislature has been recently called, has any power to say to us what we shall do and what we shall not do, still we are called under an act of the Legislature, and I take it that whatever the people understood we were to do—whatever powers the people understood they were giving to us at the time they elected us, those we have, and no others—

The CHAIR. I will say to the gentleman that there is no question before the House at all until his proposition is read by the Secretary.

Mr. SMITH. I believe it is proper I should explain my resolution, and conclude by moving its adoption.

The CHAIR. You can read your resolution if you choose to do so, or you may send it to the Secretary to be read by him. As it is now, the Chair does not know whether you are confining yourself in your remarks to the subject under consideration or not

Mr. SMITH thereupon handed the Secretary his resolution, who read as follows:

Resolved, That a committee of seven members, one from each Congressional district, be constituted, whose duty it shall be to take into consideration and propose to this Convention such action as the welfare and interest of the State shall require, and also to report what measures, if any, are demanded under existing circumstances for vindicating the sovereignty of the State and the protection of its institutions.

Mr. SMITH read from the call of the Legislature for a Convention, and contended that the appointment of a special committee, in accordance with his resolution, would be highly appropriate. My reason, he continued, for offering this resolution is that we find various opinions prevailing throughout the State, particularly in the interior, in regard to what the Convention shall do. It has been asserted in an interior town that I lately visited, and in a very respectable assembly, that it was proposed by this Convention to swallow the Legislature of Missouri—to swallow it up, sir. [Laughter.] It was said by a very respectable gentleman that they had created a great Leviathan that was to swallow up the inferior insects-including of course all those gentlemen that compose that respectable body of which I now speak. This gentleman seemed to express great fears that such would be the case. Now, sir, I wish it understood that so far as I am concerned, I have no such idea—and I suppose that this Convention has no such idea as to perform that wonderful act of deglutition. [Laughter.] But if it is the intention of this Convention to swallow up that Legislature, I beg leave to excuse myself from partaking in that act. I have a very sore throat, sir, and my physician tells me that I must not swallow anything that is calculated to irritate, and if I have to swallow my share of that very respectable body, I should beg to be excused from having that very *peppery* gentleman who made this remark passed upon me as my portion. [Great laughter.] I do not wish to swallow him at all. All that is of peppery is disagreeable to my throat, but *red pepper* particularly. [Renewed laughter.]

Now, sir, I have another reason for not wishing to perform that portion of the duties which may devolve upon this Convention. I am very certain that if I should swallow that very fiery and peppery gentleman, he would not stay swallowed. I am sure that he would kick, and would not stay there. But whether he would operate on me emetically or cathartically, I would leave that for my friend here, (Dr. Linton,) who is in the medical line, to determine. [Laughter.] At any rate, I do not wish to have anything to do with it.

Now, sir, as for the Legislature being the creator and we the creatures, I have nothing to say about it. That may be so. As to the Convention moving from Jefferson City to this city, to a *softer* place, as the gentleman—the peppery gentleman—remarked, I confess the *soft impeachment*. *It is* a softer place than Jefferson, and I hope it always will remain so. It is said, sir, that we are fugitives from justice because we did not choose to stay in the small hall of justice that was selected for us at Jefferson. Let them say what they like about that. I am sure that I was satisfied with the accommodations that had there been provided, but we saw very plainly that the Legislature could not go on while we were there The Sergeant was kept busy all the time, bringing in the members.

Mr. Gamble. I rise to call the gentleman to order. The discussion he is now engaged in has no relation to the subject before the house.

Mr. Smith. What is the decision of the Chair?

The Chair. The Chair holds that the point of order is well taken. The gentleman is discussing a subject wholly irrelevant to the subject under consideration.

Mr. Smith. Well, sir, I am willing to abide by the Chair's decision. I have said about all I have to say, [laughter,] and I will conclude by just saying one thing which I suppose will be in order, and that is, that I do not wish to take any leading part in the proceedings here. I came here more to say *no* on one great question that I supposed *would* come up than to say anything affirmatively. Sir, I could not resist the temptation to say a few words in regard to the remarks which I heard in Jefferson City the other day, and now that I have accomplished my purpose, I will withdraw the resolution, because I do not wish to be on that committee. [Laughter.] If any one wishes the resolution to pass (and I think it a very proper one) he can easily renew it.

Mr. Foster. Some of my friends in this part of the Hall would desire the resolution to be read again. They did not hear it distinctly when it was read the first time, and they think they are entitled to know the nature of a resolution which has been before the House.

The Chair. The resolution is already withdrawn.

Mr. Wilson. As there seems to be no further business before the Convention, and in order to give the committees time to report, I move to adjourn until 4 o'clock. Lost. Ayes 22; noes not counted.

Mr. Henderson. I understand it will be necessary to have some printing done for the Convention, and I desire to offer a resolution upon the subject.

Resolved, That a committee of three be appointed by the President, whose duty it shall be to contract for any and all printing that may be ordered by the Convention, and that they report their action as early as practicable. Adopted.

Mr. Irwin. I move to adjourn to 3 o'clock, P. M.

Mr. Broadhead. Before that motion is put, I would inquire whether the committee moved by the gentleman sometime ago has been appointed?

The Chair. It has not. The Chair will now announce the committee:

Committee on Printing—Messrs. Hendricks, Howell and Woolfolk.

Mr. Welsh. I desire to offer the following:

Be it ordained and declared by the people of the State of Missouri in Convention assembled, as follows:

The Legislature shall have no power to pass special laws for the following purposes:

First—to establish, change or vacate any State road. Second—to delare minors of age for any purpose. Third—to authorize the sale of any real estate except that belonging to the State. But the Legislature shall have power to pass laws to authorize courts to do and perform all the various matters herein prohibited: *Provided*, all such laws shall be general and uniform throughout the State.

Mr. Hatcher. I move to lay it on the table. Motion sustained.

Mr. Gantt. I desire to offer a resolution in order that it may be referred to the committee to be appointed under the resolution offered by the gentleman from Pike, (Mr. Henderson.)

Resolved, That this Convention have respectfully heard the address of the Commissioner from our sister State of Georgia, and having thus manifested a disposition of the people of Missouri to listen with fraternal kindness to any voice from any of their fellow citizens of this Union, feel it is due, and the sovereignty which it represents requires an unequivocal declaration of dissent of the people of Missouri from the proposal which our sister State of Georgia offers through her messenger.

Referred to committee to be appointed under Mr. Henderson's resolution.

By Mr. Gray.

Resolved, That Col. A. W. Doniphan be requested to address the Convention in reference to the action of the Peace Conference.

Adopted.

Mr. Doniphan. I hardly know what gentlemen desire I shall address them about. As for the action of the Convention, its conclusions and the amendments proposed to the Constitution of the United States, all these have been published in all the journals, and, of course, have been subjected to the inspection of the gentlemen of this Convention. If it is desired to know the attitude Missouri assumed there, why, of course, if it be the pleasure of the convention, Judge Hough, a member of this Convention, or Judge Coalter, whom I see in the lobby, or myself, can give the Convention our opinion in relation to the matter now or any other time.

Voice—Now!

Mr. Doniphan. Mr. President and Gentlemen of the Convention: I was appointed as one of the delegates from the State of Missouri to go to a Conference that has been called a Peace Congress—a Conference recommended by the State of Virginia, in which she had asked a conference with her sister States in relation to the difficulties and embarrassments that now surround this Government, and the Legislature of my State thought proper to designate me as one of the individuals to represent the interest and honor of our State in that Convention. I went there entertaining an opinion that I presume is in accordance with the opinions of a large majority of the members of this Convention: namely, that the disintegration, or rather the revolution in progress in this Government now, was caused by one single element of strife—that we have no other cause for the difficulties that now agitate and disturb the country save the question of negro slavery—that our nation was never more prosperous in all the great elements that constitute a free and happy people than it is now; that our commerce was extending and as prosperous as it ever has been; that our sails whitened every sea, and our flag floated under every sky; that we were respected at home and abroad, and involved in no conflict with any foreign nation; that while we were standing in peaceful relations to all the rest of the world; while we were in the most prosperous condition that a nation could enjoy; while we were blessed with abundance at home; while the great Valley of the Mississippi in which we live, and whose centre we occupy, extends from the crest of the Alleghanies to the crest of the Rocky Mountains, and now feeds starving millions of the world from overflowing granaries, and clothes the naked with its cotton; that while, therefore, we were in the most prosperous condition, with our commerce, agricultures and manufactures continually increasing, there was nothing to interrupt this prosperity with the exception of this solitary question agitating us at home—the question of negro slavery. It naturally occurs to every reflecting mind that in order to restore harmony and union, that question must be removed from the arena of politics—that there can be no restoration of harmony, peace and quiet unless that question is removed. That question has interposed between the North and the South and created a division, and you may plaster it together as you please; you may try Spalding's glue or anything else in the world but you cannot bring it together until this question is removed, and when this question is removed it will unite itself. The question has been raised, what is the best plan to remove this difficulty? It is well known that in all governments like this, originating in equality, having that as the very essence and foundation of our institutions—for this government, in its revolution, was unlike that of any other, for the reason that but one single sentiment pervaded the hearts of our fathers—one single, vital sentiment, and that was that all men are born free and equal, that are capable of self-government—that is what distinguished it from all other revolutions in the world, and on that principle the Government was framed, the principle of equality among States and individuals, and of equal protection to property; and when we have this removed, of course the very essence, foundations and pillars of this Government are destroyed and it can no longer exist. Now, if there is a truth in all governments, it is that nationality and sectionalism cannot exist at the same time; they are entirely antagonistic and cannot flourish healthfully in the same body politic. Sectionalism itself destroys, withers and crushes out nationality. If there is sectionalism at the South in the shape of slavery propagandism, or at the North in the shape of abolitionism, nationality cannot exist, and the vital element of the whole Union is crushed out. This sectionalism does exist. For twenty years it has been growing upon us North and South. There have been fiery spirits in one portion of the Union who have administered aliment to discontented spirits in another portion of the Union, and this has gone on until a gulf has been created between the North and South which has broadened and deepened until a revolution has now seperated one portion from the other. The object, therefore, is to destroy sectionalism. It has now assumed a gigantic shape. It has now calumniated in the election of two men to power, both of whom live in the North, and have been placed on a platform which is antagonistic to the South—entirely, in its whole aspect, antagonistic to one portion of the nation. And take out from that platform this antagonism to the South and the essence of that party is destroyed. I do not say that the whole blame devolves upon the North. I admit many imprudent men have done many imprudent things at the South, calculated to inflame the minds of men at the North. But we must take matters as they are—we must take this revolution as it is—and we find that this revolution has grown out of the triumph of sectionalism, and that triumph has weakened the cords that bind us together, and disintegration is the natural consequence.

We talk of the revolution inaugurated at the South, but no revolution has been inaugurated there. The revolution in this Government has been progressing for the last twenty years, and it has progressed until it culminated last fall in the triumph of this sectional party. That is the revolution that has destroyed our nationality and equality—a revolution that was successful on the 6th day of November last—a revolution that has caused the falling off of States in the South and the disintegration of this Government. The falling off of these states is not the cause but the consequence of the revolution that preceded it—it is nothing more. As well or as logical would it be to say that when the lightning cleaves its way through the forest and destroys the branches and rich foliage of so me mighty oak that the falling away of its branches and the withering of its foliage is the cause of the destruction of that tree. It is not the withering of this foliage or the falling away of these branches that causes the destruction of that oak, but it is the bolt from heaven that shattered and destroyed its elements of vitality. It is this sectionalism that has stricken down the nationality of this Government; it is this sectionalism that has grown up like a upas and poisoned everything around it, which has been the cause of the revolution that is now destroying the vitality of this Government. And in order to restore it back, and unite the parts that have been thrown off, you must remove this apple of discord upon which this sectional party have fed and fattened, during its entire progress. To do that, we felt that it was essential that amendments should be adopted to the Constitution that should settle this question now and forever. The Crittenden amendments were offered, and I deemed these amendments as being the thing properly suited to remove this question now and for all time, to settle this question of the Territories on the basis of 36 deg. 30 min., and to remove this whole subject beyond the arena of politics. We first had Mr. Crittenden's amendment, but it was voted down; then we had Mr. Guthrie's proposition—that was the Crittenden proposition with the backbone out of it—and Mr. Johnson's amendment, which took out a few more bones, and destroyed its shape, and then Mr. Franklin's amendment, which we may call a boned turkey—the whole thing being a sort of shapeless mass, without a bone in it—and that was presented and Missouri voted against it, I giving the casting vote myself, two of my colleagues voting one way and two another, none of the delegation, however, being in favor of it. I desired the amendment should contain an acknowledgment of the right in slave property and its ample protection, but not one word could we get into it in regard to master or slave, or protection, but all these things were stricken out, leaving it entirely to the judicial decisions; and therefore I preferred the Constitution of the United States as it stands now to any senseless interpretation to be decided hereafter. These judicial constructions are always for the strong and never for the weak, and if minorities are to be protected, it must be by specific enactment. Majorities can always find sufficient provisions in the Constitution to create Banks or a tariff, or destroy them, but at the same time not find authority for that protection to the institutions of a minority, which may be required. We desired these guaranties but they were rejected. In rejecting this proposition which was offered us, we did not necessarily say Missouri must go out of the Union. We said nothing except it was better to live under the Constitution that we had than to make up patchwork about indefinite compromises. I desire to have nothing of that sort. If we are to have our rights, I desire to know it fully, entirely and expressly; but not to accept this proposition, and thereby be precluded from any other indemnity. I am not willing to take a dry bone. I voted against it, and I would do it again. These were the motives that governed us and our votes. We had but one object in view, and that was to remove this question entirely from the arena of politics, and give such guarantees to slaveholding States that are now in to remain, and induce the States that are now out eventually to come back. I believe, if Congress had passed such an amendment, and the North had acquiesced, the Southern States would come in, not at the present, perhaps, but in the course of time.

The CHAIR. Under the resolution offered by the gentleman from Pike (Mr. Henderson) the Chair will appoint the following committee: Messrs. Henderson, Birch, Howell, Stewart, Wright, Marvin and Knott.

By Mr. ALLEN. A resolution that the sessions of the Convention shall henceforth commence at 10 o'clock in the morning and 3 o'clock, P. M.

On motion of Mr. SAYER, 3 o'clock was stricken out and the resolution adopted.

By Mr. ALLEN. *Resolved,* That the Secretary of this Convention be authorized to furnish postage stamps for each of the members and officers of this Convention.

Mr. ORR. On that I call the yeas and nays.

Mr. ——. I move that the blank be filled with one hundred.

M. SMITH. I move to lay the resolution on the table. Motion sustained.

By Mr. ——. A resolution that all resolutions offered and referred to the Committee on Federal Relations be printed, for the use of the Convention. Adopted.

By Mr. ——. A resolution that Judge HOUGH be invited to address the Convention on the subject of the Peace Congress.

It was announced that Judge HOUGH was indisposed, and that his address would be postponed for the present.

By Mr. BIRCH. Ordered, that the Committee on Federal Relations, and the Committee to which was referred the communication of the State of Georgia, as made through her Commissioner on yesterday, have leave to sit during the session of this Convention. Adopted.

By Mr. SHEELY. A resolution that Gen. Coalter be requested to address the Convention on the subject of the Peace Congress. Adopted.

Mr. COALTER came forward and spoke as follows:

GEN. COALTER'S REMARKS.

I thank you, Mr. President and gentlemen of the Convention, for the call which you have been pleased to make upon me. I came here with no expectation of addressing you, but deem it my duty to add a few remarks to the remarks of the gentleman who has just preceded me, and who has very properly given you a history of the proceedings of the Peace Congress. There is one point in which, according to my recollection, he does not speak exactly according to the record, and that is this: At the first ballot, the proposition of which he speaks, was rejected, Missouri voting in the negative. There was then a motion for reconsideration, which was carried, and on that reconsideration Missouri did not vote, as I understand. (To Col. Doniphan)—I am correct in that, I am not?

Mr. DONIPHAN. On the test vote as to whether Missouri would support that proposition or not, Missouri voted against it. On the motion to reconsider Missouri did not vote at all, according to my recolection. When the question came up a second time, Missouri having placed herself right on the record, was perfectly willing that this proposition should go to the country (not with her sanction) and therefore by the unanimous consent of her delegation she declined voting.

Mr. COALTER. That is true. If Missouri had voted against the propositions the second time, they would have been rejected. But we all thought that it was better that they should go before the country for what they were worth. It was the best we could get there. The responsibility thereafter devolved upon Congress, who might accept or reject them or on the people who might pass upon them. So that there was no diversion of opinion in the Missouri Delegation, as would seem from the first statement of the gentleman. Upon the final vote Missouri was unanimous that the proposition should go before the people for what they were worth, not believing them to amount to anything, but still holding that it was the best they could get.

Gentlemen of the Convention: My colleague has very properly stated to you, that we felt how important was the occasion which had called us together, in Washington. We felt the condition of the country was such that peace was needed, in order to bring about any good and valuable results. We were met there by distinguished gentlemen from every part of the Union—twenty-one States in all—and we found one great difficulty in the beginning, and that wa that gentlemen from the Northwest had come to the Convention, thinking themselves pledged to a particular platform and in other ways. They thought they had gained a great victory and they must reap the fruits of it. That seemed the prevailing sentiment. They said, "We are well satisfied to have peace, yet it must be peace on our own terms; and although we are willing for peace, yet we tell you at the same time that we abhor your institutions." Well, gentlemen, when any of us could get the floor, we defended our institutions with what ability was at our command. We told them: "This is a prejudice on your part. (And I must say that in this position we were sustained not only by the delegates from the South, but very ably, too, by some of the delegates from the North.) Your hostility to slavery has prejudiced you, and the sooner you get rid of that prejudice the better." We asked them moreover, the pregnant question "If you abhor our institutions, how long a step will it be before you abhor *us?* if you abhor slavery, how long before you abhor *slaveholders?*" This, we represented to them, was the very point which had roused the Southern mind. It was the idea that they were *hostile* to us in *feeling*, and that this hostility could not be reconciled, but would show itself again and again, and produce perpetual dissension. We told them in submitting our propositions, it was not so much our object to gain anything valuable from them, as to see that the Northern mind could be reached upon them, that we wanted to go behind them to their constituents, that we wanted to have something upon which the Northern mind could vote, showing its readiness to acknowledge and guarantee the rights of the people of the South. We said: Do not let us, in view of this object, quarrel about little things; do not let us disagree on minor points; do not cavil with us upon the ninth part of the breadth of a hair, but show at once by your action that you do recognize the rights of the South. The people of the South, of which Missouri is a part, want to understand whether they can live in peace with you or not? If there is any settled hostility on the part of the North against the South, then we are two people inevitably; and God forbid we should be two people. We desire union; we desire this Union shall subsist, but we want to understand that you are not hostile to us, and therefore we ask you to come forward in the spirit of liberality of magnanmity, if you choose, (because you are the victorious party) and grant what is liberal, and grant it freely and frankly. Do not squabble with us about the ninth part of the breadth of a hair. Let us get at the minds of your people and let them vote on the propositions, and in that way let us see whether you will regard us as hostile or as friends!"

Gentlemen, in that spririt we were not met. They would cavil with us about everything; believing that we were trying all the time to take some advantage of them; insisting upon the great victory, and that they must reap the fruits of it, and they gave us nothing better than the resolutions my colleague has spoken of.

I am sorry, gentlemen, that those resolutions, even such as they were, were not sanctioned by Congress. Congress did not choose to adopt them and what will now be adopted, God only knows. It is with you to say what course Missouri will take. I know the cause of Missouri is in good and able hands. Missouri will take her course for herself, not feeling herself bound to look to any other State, but looking to her own true interests. And, gentlemen, it has been well said by some philosopher, (Paley, I think,) that nations do not act on notions of honor, but upon considerations of their true interest. I should say, however, that that rule is subject to another condition, and that is, that sometimes *the truest and best interest of a nation is to assert her honor.*

While I am upon this subject another idea suggests itself to me. It is this, that a great deal of the trouble now existing in the Northern mind is based on its blindness to the true nature of our institutions. The Northern people forget that this is not a consolidated government. They forget we are a Confederacy of sovereign, independent States; and, therefore, a man living in Massachusetts is apt to feel his conscience hurt from the fact that slavery is existing in Missouri or Arkansas. If they fully recognized and acted upon the true theory and principle of our Government as regards Southern institutions—if they were thoroughly imbued with the idea that each and every State is entirely sovereign, they would not be so sensitive with regard to those institutions. I do not understand that the Northern mind is very much troubled about the existence of slavery in Turkey, or Russia, or Cuba, but it is troubled about it in the United States, because they consider themselves partly responsible for its existence in the United States. Now let them *fully recognize the true theory and principle of* our Government, and they can no more be responsible for slavery in the United States than they can for slavery in Japan. We all, gentlemen, have been so much in the habit of looking to our General Government with pride and satisfaction, (and it was right that we should, because it has been a grand and glorious Government,) that we seem to forget that the greatness of our Union is not due to the circumstance that we are one great people, but that we are thirty-three great peoples. We are not one great people, but we are now thirty-four great peoples, and the greatness results from the fact that the General Government acts as the agent for *thirty-four peoples.* Let us fully recognize that fact—the fact that we are composed of sovereign peoples, each having its own control, and I think that our Government is destined to go on harmorniously to the end of time; and, gentlemen, if that principle were fully acted upon, I believe the Southern States would be satisfied, and we could ultimately hope to get them back. Those wise men who framed our institutions, knew that a consolidated government was not fit for a widely extended country, and by a wise division of power, placing in the hands of one central Federal agency the administration of such duties as were necessary to be administered for the benefit of the whole, and leaving in the hands of the several States all those powers necessary for their independence and self-control—I say, they framed a system of government which alone is competent to extend and secure the blessings of freedom over a widely-extended country. I can see only one hope of reconstructing this Government, and that is upon the basis of an acknowledgment of the true principles of our Government. I hope to see us come back to that yet. Otherwise there will always be danger of minorities being oppressed by majorities, and the strife between various sections of the country will never cease. I do not know that any good will result from the action of the Peace Congress. At any rate, however, we who met together freely interchanged our opinions and understood ourselves there. There were gentlemen of frankness and candor from every part of the Union, and they expressed themselves freely and frankly. They were no doubt extremely desirous of having this matter satisfactorily and amicably arranged. But there were also those who did not want to act promptly upon the matter. We were met by various abstract propositions, which we had to ward off, because they would have led to interminable discussions. One of these was that no State had a right to secede. We naturally asked, "What is the use of arguing such a question as that? Here we sit down in solemn conclave and consume hours and perhaps days in trying to arrive at a conclusion, and when we have finally arrived at a conclusion, we look around and find that seven States have already seceded. Then what do we gain by the discussion?" Other abstract propositions were offered to carry us off from the true purpose of our meeting.

Gentlemen of the Convention, I have thus hastily thrown before you a few suggestions which have occurred to me as the result of my experience in Washington City. I feel very thankful to you for the attention with which you have listened to me, and shall not trespass any more on your time at present. I may, at some future time, present my views in connection with the deliberations of the Peace Convention to the citizens of Missouri more fully in writing.

By Mr. **Long**. *Resolved*, That Hon. John B. Henderson, be requested to address the Convention, on the subject of the Union to-day, or at any other time. Adopted.

By Mr. **Pomeroy**. *Resolved*, That the officers and members of the Present General Assembly, when visiting this city during the setting of the Convention, be invited to seats within the bar. Adopted.

By Mr. **Linton**. *Resolved*, That Maj. Wright of St. Louis, be requested to address the Convention, on the subject of the Union now. Adopted.

Mr. **Wright**. I trust sir, that I shall have an opportunity to address this honorable body, on the important subject of this Union,—I trust there will be an opportunity to go into the nature of our Government—I trust there will be an opportunity to elaborate the idea set forth in the thirty-four stars upon that banner and to show that there is something more in them than the mere motto, *E Pluribus Unum*. But I rise at present only to say, that I do not desire to addres the Convention at this time, but will hold myself in reserve, to aid in supporting the standard of my country. In regard to all doctrines calculated to sap, undermine and overthrow all government, I will reserve to myself these questions, and give my views upon them at the proper time.

Mr. **Henderson**. I return my thanks for the honor conferred upon me by the passage of that resolution. Like my friend, Major Wright, I shall reserve to myself, and every member of the Convention will reserve the right, when these questions come before the Convention. And I trust every member of this Convention, sent by his constituents to his seat here, will feel it not only his privilege, but his duty, to aid in giving to the State of Missouri the opinions of every part of the State of Missouri. Sir, I come here from a portion of the State that is, perhaps, exposed more than any other portion — or, at least, as much as any other portion— to those very troubles that, unfortunately, have brought about the difficulties in which the country is now involved. Sir, I have come here, bearing with the two aged gentlemen who are with me, feeling loyal to the Constitution of our country, and loyal to the great interests of this wide spread land of ours. I am here determined to do anything in my power to preserve and perpetuate the liberties handed down to us by our forefathers. And, sir, so help me God, I shall do nothing while a member upon this floor, that shall be tinctured with disloyalty to the Federal Constitution, (cheering, checked by the President,) when I say that, I say further, that allied to the interests of Missouri, allied to the interests of the South, I feel when I look to the protection of the interests of Missouri, when I look to the protection of the institutions of the South, which gave me birth, that I cannot be disloyal to that Constitution, without being a traitor, and one who is determined at heart to destroy the institutions of this State and the entire South. These sir, are my sentiments, and believing that—believing that if this Union of ours shall be dissolved—believing that when hostile Confederacies shall be built up amongst the present happy, free and prosperous States of the Union, that nothing but war—eternal and everlasting war and bloodshed will be the consequence—and believing instead of protection to constitutional rights that the last vestige of hunan liberty will have passed away—that, instead of being secure in our property, that our lives and liberties will become the mere scoff and scorn of the world, I have come here, sir, determined to live true to the Union of these States, and to do everything in my power to bring back our erring sisters of the South. I have come here determined to protect their interests, and, sir, when that shall have been done, I want them once more to return to the happy family of States, for in that happy family alone can be the preservation of every right we enjoy.

Sir, I again return my thanks to this Convention, and shall improve the opportunity at some future time to express my views more fully.

Mr. Gamble. I move that the Convention adjourn till 10 o'clock, A. M., to-morrow. Motion sustained.

FIFTH DAY.

St. Louis, March 6th, 1861.

Convention met at 10 o'clock, A. M.

Mr. President Price in the chair.

Prayer was offered by the Chaplain.

The Journal was read and approved.

Mr. Pomeroy. Mr. President, I desire to say that my colleague, Mr. Hill, from Pulaski, has arrived.

The Chair. Mr. Hill will please come forward and be sworn. If Judge Breckinridge is present, he will oblige the Convention by administering the oath.

On motion, Col. Grover, Sergeant-at-Arms elect, was also requested to come forward and be sworn.

Judge Breckinridge thereupon administered the oath to both.

The Chair. (To the Sergeant-at-Arms.) You will take your position at the lobby and see that order is preserved; and that no cheering is indulged in on any occasion; and that gentlemen of the lobby do not injure the furniture by placing their feet upon it.

Mr. Hatcher offered the following resolution:

Whereas: It is the deliberate opinion of this Convention that, unless the unhappy controversy which now divides the States of this Confederacy shall be satisfactorily adjusted, a permanent dissolution of the Union is inevitable; and this Convention, representing the wishes of the people of Missouri, is desirous of employing every reasonable means to avert so dire a calamity, and determined to make a final effort to restore the Union and Constitution in the spirit in which they were established by the fathers of the Republic. Therefore,

Resolved, That on behalf of the State of Missouri, an invitation is hereby extended to the States of Delaware, Maryland, Virginia, North Carolina, Tennessee, Kentucky and Arkansas, to unite with Missouri in an earnest effort to adjust the present unhappy controversies in the spirit in which the Constitution was originally formed, and consistently with its principles, so as to secure to the people of the slaveholding States adequate guarantees for the security of their rights, and for this purpose to appoint Commissioners to meet on the 15th day of April next, in the city of Nashville, Tennessee, similar Commissioners appointed by Missouri, to consider, and if practicable, agree upon some united course of action to be pursued by said States in securing these ends.

Resolved, That General A. W. Doniphan, A. H. Buckner, J. D. Coalter, W. P. Johnson, Harrison Hough, H. R. Gamble and N. W. Watkins, are hereby appointed Commissioners, whose duty it shall be when notified by the President of this Convention that two or more of said States shall have accepted this invitation, to repair to the city of Nashville, Tenn., on the day designated, to meet such Commissioners as may be appointed by any two or more of said States in accordance with the invitation herein contained.

Resolved, That if said Commissioners, after full and free conference, shall agree on some plan of adjustment, or any course of action to be pursued by the said States, in accordance with these resolutions, the Commissioners hereby appointed shall report the same to an adjourned session of this Convention, to be held at such time as the Convention may hereafter determine.

Resolved, That the President of this Convention send copies of these resolutions to the Executives of the several States herein mentioned, with the request that the said Executives inform him, as soon as practicable, of the action of their respective States in this regard, and that when informed that two or more of said States have responded to this invitation, he shall forthwith inform the Commissioners herein appointed of that fact.

Mr. Hatcher—I do not know, sir, that the Chair would decide that these resolutions as a *matter of course* go to the Committee on Federal Relations, inasmuch as one of them requires the appointment of Commissioners who are on the Committee on Federal Relations. The members of that Committee are thereby interested in these resolutions, and I therefore move that they be referred to a special committee of five.

Mr. Bartlett—I second the motion.

Mr. Hall of Buchanan—If the motion is rejected, I suppose the resolutions will go as a matter of course, to the Committee on Federal Relations?

The Chair. That will be the order of proceeding.

Mr. Hatcher. My reasons for making the motion, I hope, will be understood. I made it merely from the fact that members of that committee are interested in the passage of these resolutions and therefore will feel some delicacy in acting upom them impartially.

The Chair. The question will be on dispensing with the rule requiring the resolutions to go to the Committee on Federal Relations.

Mr. Broadhead. I desire to hear the motion.

The Chair re-stated the motion.

Mr. **Broadhead.** I understand it requires a two-thirds' vote to carry a motion to suspend the rules.

The **Chair.** Yes sir.

The motion to suspend the rules was put and rejected.

The **Chair.** The resolution will go, as a matter of course, to the Committee on Federal Relations.

Mr. **Sayer** offered the following resolution:

That this Convention expresses the sentiment of the people of Missouri in declaring their undiminished and unalterable attachment to the Union of these States under our glorious Constitution.

That a guarantee of our rights upon the subject of slavery, giving equality to the citizen, and protection to his property, that shall secure us against the threatened perversion of the Constitution of the United States, from the interpretation which it has received in all the Departments of the Federal Government up to the present time, is indispensably necessary, and is indispensably necessary to the existence of the Union of these States—without guaranties upon that subject, to that effect, our Constitution and Union could not have been made, and they cannot exist without them.

That in the construction of our government, the idea of the use of force, as between the States, in holding them together, was wholly discarded—it will not only not avail for that purpose but the undertaking of it would be usurpation.

That the Convention appoint ——— Commissioners, and that we recommend that the States of Delaware, Maryland, Virginia, North Carolina, Tennessee and Kentucky, appoint Commissioners to meet at ——— in the State of ——— on the——day of —— to confer together and set forth such amendments to the Constitution, as will be sufficient for our honor and the protection of our rights, and to urge upon the States which have seceded, and upon the Northern States, to accede to, and adopt them.

The **Chair.** The resolutions will go to the Committee on Federal Relations.

Mr. **Dunn** offered the following resolution:

Resolved, By the people of the State of Missouri in Convention assembled, that we are in favor of the adjustment of our national troubles, upon the basis of the amendments to the Constitution of the United States, proposed by Senator Crittenden, thereby arresting the progress of revolution, securing our constiutional rights in the Union, and removing forever from the arena of party politics, the dangerous sectional questions that have brought us to the verge of ruin.

Referred to the Committee on Federal Relations.

Mr. **Smith** suggested that the Secretary read the name of each mover of a resolution when reading the resolution.

Mr. **Woolfolk** offered the following:

Resolved, That the present crisis demands that the rights of the slave States should be secured to them by amendments to the Constitution, and that this Convention recommends to the Legislature of Missouri, that they apply to Congress to call a General Convention of all the States, in the manner provided by the Constitution, for the purpose of making such amendments thereto as will secure the rights of the slave States, restore peace, and relieve the Southern mind of apprehensions for the future.

Referred as above.

Mr. **Long** offered the following:

Resolved, That the Seargent-at-Arms furnish each member of this Convention, except the St. Louis delegation, with twenty-five postage stamps.

Mr. **Long.** I am aware, Mr. President, that a similar resolution was voted down, yesterday, but I cannot but think that members from the country are desirous of corresponding with their constituents and families, and inasmuch as the motion to table, yesterday, was made by a member from St. Louis, I now deem it proper to renew the resolution, and hope that it will pass. Let us not deprive others of a privilege which, if we were away from home, we should not wish to be deprived of ourselves.

Mr. **Foster.** Mr. President, I do not think that this resolution ought to pass. We men that live out in the backwoods are under many obligations to our friends here, but still we are not seventy-five cents men. [Laughter.] We care just as little for postage stamps as any other gentlemen, and, therefore, I move that this resolntion be laid on the table.

Motion sustained and resolution tabled.

By Mr. **Stewart.** *Resolved,* That, in the opinion of this Convention a Convention of the people of the border States, for the purpose of presenting a plan of compromise, would be the most sure and efficacious method of adjustment, in a fraternal spirit, of the alarming discords which threaten the disruption of the Government.

Referred to the Committee on Federal Relations.

By Mr. **Linton.** *Resolved,* That there exists no adequate cause why Missouri should secede from the Union, and she will do all she can to restore peace to the same by satisfactory compromises.

Same reference.

By Mr. **Hendricks.** *Resolved,* That at the time of the adoption of the Federal Constitution it was the understanding and intention of the people of the United States that they were thereby united together for all the purposes expressed and contemplated in that instrument, as one people, inseparable and forever.

Resolved, That the provisions of the Federal Constitution were understood and intended by the people of the United States to be the supreme law of the land, and not a mere compact and for violations and infractions thereof by the Federal or any State government, disintegration was not contemplated, but remedies, as provided in the Constitution, to be sought and obtained in the Union.

Resolved, That while the right of revolution for adequate cause is not denied, yet the Constitution of the United States and acts of Congress made in pursuance thereof, for the admission of new States into the Union as integral parts of the United States, being the supreme law of the land, no ordinance of secession adopted by a State government can abrogate them.

Resolved, That the ordinances of secession adopted by several States of the Union, are unauthorized in law and without adequate cause in fact, and when we are called upon to follow their example, it is right and proper to consider the legality of doing so.

Resolved, That the action of several of our sister States in adopting ordinances of secession, is no justifiable cause for Missouri to secede.

Mr. IRWIN. I suggest that when the Secretary reads a resolution, he announce the name of the gentleman offering it.

The Chair. It will be so ordered unless objection is made.

By Mr. RITCHEY. *Resolved*, That that portion of the eighteenth rule, by which the Convention is governed in its action, requiring each member to read his proposition distinctly to the Convention, be, and the same is hereby rescinded. As many of us have bad voices and as we cannot be distinctly heard when we read our propositions, and as the nineteenth rule makes it the duty of our Secretary, (who has a clear and distinct voice which can be heard distinctly through the Hall,) to read each proposition before it can be acted upon by the Convention: I therefore, sir, offer this resolution.

The resolution was adopted.

By Mr. FOSTER. WHEREAS, the State of Georgia, in Convention assembled, have appointed Rufus J. Glenn as a Commissioner to the State of Missouri to present the ordinance of secession of the State of Georgia and invite the co-operation of the State of Missouri in the formation of a Southern Confederacy, and: Whereas, By invitation of this Convention, said Rufus J. Glenn appeared in Convention and presented, as Commissioner, the ordinance of secession of the State of Georgia; therefore, be it

Resolved, By the people of the State of Missouri in Convention assembled, that we respectfully decline considering the ordinance of secession of the State of Georgia, as to the propriety of forming a Southern Confederacy. Referred to the Committee on Federal Relations.

By Mr. STEWART. *Resolved*, That in the opinion of this Convention, no overt act has been committed by the General Government sufficient to justify either secession, nullification or revolution. Same reference.

By Mr. TURNER. *Resolved*, That a committee of seven members of this Convention, one from each Congressional District, be appointed, to whom shall be referred all proposed alterations of or amendments to the Constitution of the State or Missouri. I suppose that it is in the power of the Convention to alter or amend the Constitution of the State of Missouri, in case they deem it proper to do so, and I therefore hope the resolution will be adopted, in order that if such amendments are proposed, they can first be acted upon by a committee.

Mr. SAYER. I do not think it was contemplated that we should either alter or amend the Constitution of Missouri, and I therefore move to lay the resolution on the table.

Mr. TURNER. I demand the yeas and nays.

The vote was as follows:

AYES—Messrs. Bass, Bast, Birch, Breckinridge, Bridge, Brown, Cayce, Chenault, Collier, Comingo, Doniphan, Donnell, Douglass, Drake, Dunn, Frayser, Flood, Foster, Gamble, Gantt, Givens, Gorin, Hall of Buchanan, Hall of Randolph, Harbin, Hatcher, Hill, Hitchcock, Holmes, Holt, Hough, Howell, Hudgins, Irwin, Jamison, Kidd, Knott, Linton, Long, Marmaduke, Matson, McCormack, McDowell, McFerran, Morrow, Moss, Noell, Norton, Orr, Phillips, Pomeroy, Ray, Ritchey, Ross, Rowland, Sawyer, Sayer, Scott, Shackelford of Howard, Shackelford of St. Louis, Sheeley, Smith of Linn, Stewart, Tindall, Watkins, Wilson, Woodson, Woolfolk, Vanbuskirk, Mr. President—70.

NOES—Messrs. Allen, Bartlett, Bogy, Broadhead, Bush, Calhoun, Eitzen, Gravelly, Hendricks, How, Isbell, Jackson, Johnson, Leeper, Marvin, Maupin, McClurg, Rankin, Smith of St. Louis, Turner, Waller, Welch, Wright, Zimmerman—24.

The resolution was laid on the table—ayes 70, noes 24.

By MR. DUNN. *Resolved*, By the people of Missouri in Convention assembled, that we are opposed to military coercion for the purpose of subjugating those States that have withdrawn from the Union, and we would regard such an attempt at military coercion under any pretext whatever, as an act of war which, if successful, would lead to the establishment of a military despotism on the ruins of the Constitution.

Resolved, That we are opposed to any act of war against the United States, by any of the States that have withdrawn from the Union. The preservation of the Union depends upon the preservation of peace. Referred to the Committee on Federal Relations.

By Mr. ALLEN: *Resolved*, That the border free and slave States be requested to meet in Convention and co-operate together in the settlement of the questions now agitating the country. Referred to Committee on Federal Relations.

By Mr. ORR: *Resolved,* That we have the best Government in the world, and intend to keep it. [Applause, checked by the President.]

Mr. SMITH.—I move the adoption of that resolution.

THE CHAIR.—It will be referred to the Committee on Federal Relations.

By Mr. McFERRAN: *Resolved,* That Missouri deplores the existing sectional strife and alienation existing between the North and the South, and regards the same as inimical to the dearest rights of Missouri, and to the peace and perpetuity of the Federal Union.

Resolved, That Missouri, as an integral part of the great West, declares her fealty and attachment to our union of interest and action, and invites her sister States of the West to ignore the dogmas of New England on the one hand, and the Gulf States on the other, and to at once inaugurate a Western policy, loyal to the Federal Constitution and the Union of the States.

Referred to the Committee on Federal Relations.

By Mr. BIRCH. *Ordered,* That the Inaugural Address of the President of the United States be committed to a committee of the whole house, to be designated a Committee of the Whole on the State of the Union.

I do not desire to have the resolution deferred, Mr. President. In the first place, by the action of this Convention, a Committee on Federal Relations has been appointed to receive all propositions respecting the difficulties that now exist, and while these propositions are in the hands of that committee the great body of the Convention is cut off from information which otherwise might be derived from the passage of this resolution. If this resolution be agreed to, to go into a Committee of the Whole on the State of the Union, then the President's Message and the whole subject will be in order for discussion, and we can attain the same end, and come to a material understanding with each other.

2d, The Convention, I apprehend, will have seen that we have little or nothing to do, nearly all its business having been referred to the Committee.

3d. I suppose the message of the President of the United States, and the views he entertains, are more important to be considered just now, or of quite as much importance, in consideration of the complications that surround us, as any or every thing else. If there be any objection to this course, I shall most certainly listen to it, but I am not able to perceive how it will elicit any objection whatever.

Mr. BROADHEAD. I hope the resolution will not be adopted. The House appointed a Committee to whom all such subjects have been and will be referred, and when that Committee makes its report, this body will have something tangible upon which it can act. I should be opposed at this time to take up any proposition of this character which may not be submitted to us by that Committee, and to go into any indiscriminate discussion upon political subjects such as would be elicited by the adoption of this resolution. I hope therefore the resolution will not be adopted.

Mr. BIRCH. I ought to say a single word in response. I confess my entire indifference so far as I am concerned whether the resolution is adopted or not, but it seemed to me that we might as well come to an understanding now in relation to the doctrines announced and indicated in the President's message. The Convention would thus obtain the views in relation to this entire question of those complications without waiting for the Committee to report. With these remarks I am indifferent as to the result.

Mr. FOSTER. I do not design to enter into a political discussion. I came here for a better purpose. I can see, in my judgment, no good that will result from the investigation of the subject mentioned in the resolution. My opinion is, it would bring about difficulties, and I therefore move to lay the resolution on the table.

Mr. BIRCH. To save all trouble I will, by leave, withdraw the resolution.

The resolution was withdrawn.

Mr. WILSON. *Resolved,* That the Committee on Accounts be instructed to allow the doorkeeper and Sergeant-at-Arms, each, five dollars per day, and the two pages, each, two and one half dollars per day for services.

Mr. BROADHEAD. Before the vote is taken, I call the attention of the Convention to the law under which the Convention is called.

The CHAIR. I think the resolution is in accordance to the law, or I should have called attention to it.

The resolution was adopted.

By Mr. SHACKELFORD, of Howard: *Resolved,* That the Committee on Accounts be instructed to allow the Chaplain of the Convention five dollars per day during the sitting of the Convention.

Adopted.

By Mr. TURNER; *Resolved,* That the people of Missouri deplore the existence in some of the Northern States of acts known as personal liberty bills, designed to nullify the fugitive slave law, and giving the Southern States just cause of complaint for the violation of the compact existing between the States; which personal liberty bills are admitted to be unconstitutional by the Executives of the States having such laws; and we equally deplore the state of feeling in the South, and the passages of ordinances of secession, by which the Southern States declare themselves absolved, from the obligations and bonds imposed upon them by the Constitution of the United States.

Referred to the Committee on Federal Relations.

Mr. POMEROY. I believe this body invited Judge Hough to address the Convention on yesterday, and that he failed to do so on account of ill health. I hope we shall have the pleasure of hearing him to-day.

Mr. HOUGH. You will excuse me, sir, until I recover from my hoarseness, as I speak with great difficulty.

Mr. NORTON. As there is nothing before the Convention, I move we now adjourn.

The Convention, then, at 11 1-2 o'clock, A. M., adjourned until 10 o'clock to-morrow.

SIXTH DAY.

ST. LOUIS, March 7th, 1861.

Convention met at 10 o'clock, A. M.

Mr. President PRICE in the chair.

Prayer was offered by the Chaplain.

The journal was read and approved.

Mr. NORTON. I desire to offer a resolution.

The CHAIR. The resolution is in order, and the Secretary will read it.

The Secretary read as follows:

Resolved, That it is the opinion of this Convention that the country and Confederacy could at once be relieved from its present deplorable condition, if the great conservative heart of the people of all sections could be appealed to independent of the influence of demagogues, fanatics, and politicians who sprung the present tests for their own benefit. And thus believing, we suggest that the Legislature of the State of Missouri recommend the Crittenden compromise propositions to Congress as amendments to the Federal Constitution; or recommend Congress to call a National Convention, to which these or similar propositions shall be submitted as amendments to the present Constitution.

Mr. NORTON. I desire to inquire, sir, whether it has been determined that resolutions of this character should go to the Committee on Federal Relations as a matter of course, without debate. I do not desire, sir, to discuss these resolutions myself. I have introduced them more for the purpose of eliciting discussion, as there may be, and doubtless are, gentlemen of this Convention desirous to discuss the points that are brought forward in these resolutions. I am aware that we have adopted a resolution requiring propositions of this description to go to the Committee on Federal Relations. The question to be determined is, whether these resolutions go there as a matter of course *without debate*, or, whether they are subject to debate. I desire that point to be now determined by the Chair.

The CHAIR. Some few days since the Convention adopted a resolution requiring that such resolutions should be referred to the Committee on Federal Relations. That resolution, however, does not say that they shall be referred without debate. If gentlemen choose to discuss the resolutions, I suppose they are at liberty to do so.

No one seeming desirous to debate the resolution at present, the Chair ordered its reference.

Mr. ZIMMERMAN offered the following resolution, which was referred:

Resolved, That this Convention appoint a Committee of five, to confer with the border slave and free States, upon the subject of the preservation of the Union upon just and proper principles, and that a Convention of the border slave and free States, be called for the purpose of forming a Middle Confederacy, in the event of the failure of the preservation of the present Union.

Mr. SHACKELFORD, of Howard, offered the following:

Resolved, That each member of the Convention be requested to hand to the Committee on Accounts, without delay, a statement of the number of miles traveled by each to the city of Jefferson, that the same may be examined and a proper allowance per mileage be made by the Committee.

Mr. SHACKELFORD. I would merely remark that the object of that resolution, is that the members may hand in their statement, and by doing so they will greatly facilitate the business of that Committee, and will doubtless assist in adjusting accounts speedily after the adjourn- of this Convention.

Mr. SHEELEY. I desire to hear the resolution read.

The Secretary read the resolution.

Mr. WELCH. Mr. President, it occurs to me, sir, that the resolution will not do all the members of this Convention justice. I see the resolution provides that the mileage of the members shall be determined by their distance to and from the city of Jefferson. The act which calls the Convention does not say, I believe, anything in regard to that, except that they shall have the same pay per mile that the members of the Legislature are entitled to under the existing law. Now, sir, in the adoption of that resolution, my friend from Howard will be entitled to receive his pay from Jefferson City through the city of St. Louis up to the North Missouri Railroad home, while, so far as the gentlemen are concerned who live in the Western portion of the State, (and I am one of them,) *we* are to receive our mileage from the western part of the State to Jefferson and back again, and nothing is said at all of the distance between the city of Jefferson and here. We are required to travel from Jefferson City here and back again, for nothing, while the gentleman who offered the resolution gets paid both ways, from here to Jefferson and back. The adoption of that resolution, then, will do injustice to all of those delegates who reside in the western and southwestern portion of Missouri. I think that that portion of the resolution which confines the mileage to the city of Jefferson and back, should be stricken out, and shall offer an amendment to that effect.

Mr. **Shackelford.** The gentleman entirely misapprehends the object of my resolution. Its object is for the members to present their account for mileage to the committee, in order that the committee may adjust it; and I expressed the sentiment of the committee when I said that it should be *to and from* Jefferson City, and I will state for the information of that gentleman, and of the Convention, if they want to know the opinion of the Committee or of a majority of the Committee in reference to that mileage system, that it is this, that it will be calculated so far as this Committee is concerned, unless the Convention otherwise order, *from Jefferson City to the homes of the different members*, or, to express myself more clearly, *to and from Jefferson City by the nearest practicable route.* If the gentleman alludes to me in that respect, it shall not be by St. Louis, but it will be from my home to Jefferson City, and thence back by the *nearest practicable route*, without any reference to St. Louis on my passage. That is the object and that is the sense of the resolution. If the Convention otherwise order the Committee will be governed by it, but not without.

Mr. **Welch.** Mr. President—

The **Chair.** The gentleman will submit his proposition in writing.

Mr. **Welch.** The gentleman who offered that resolution seems to misapprehend the law of the land as it now is. If he has correctly stated the opinion which the Committee have arrived at in regard to the allowance of mileage of the members of this Convention, by the most direct route from Jefferson City home, the committee mistake the law of the land as it now is. For that law declares that they shall be entitled to this mileage, not by the most direct route, but by the *most usually traveled* route, and that, I apprehend, from the City of Jefferson to the county of Howard or Chariton, would be by the way of the City of St. Louis. I hold that the delegation from that part of the State, are legally entitled to claim under the law of the land, from the City of Jefferson, through this city, to their respective places of abode. The point of injustice, sir, was this: We have been compelled, (those who reside in the western part of the State, and I among them,) forced, as it were, to come to this city from Jefferson, against our will. I voted against that proposition, and I hold it is not right and just, after the Convention has forced the delegation from the western portion of Missouri here, that they should then be denied the mileage under the law of the land. That law gives them mileage from the place of their residence to the place where their business is transacted. So far as the Legislature is concerned, the law fixes their place of business at the capital, but it is not so with regard to the Convention. I hold the members of the Convention here are entitled to mileage from their places of abode to this city. All the Delegations who reside upon the northern side of the river, and who reside in the southeast of Missouri, and down from the Iron Mountain Railroad and the Arkansas line, under this resolution are entitled to their mileage from Jefferson City, home, and in coming to this city they are on their way home—while we in coming to St. Louis have gone further away from home and are entitled to no mileage at all from here to the capital of the State. I think there is manifest injustice in the resolution and, therefore, will write out an amendment.

Mr. **Welch** then offered his amendment which was as follows:

Strike out the words "to the city of Jefferson."

The **Chair.** The question will be on the adoption of the amendment.

The amendment was rejected by 14 ayes, noes not counted.

The **Chair.** The question next is on the adoption of the resolution.

Mr. **McFerran.** I am writing a substitute which I will present directly.

Mr. **Smith.** While the gentleman is writing his substitute I will read that part of the act of the Legislature referring to the mileage. (Proceeded to read from the Legislative act.)

Mr. **McFerran** offered the following substitute:

Resolved, That the Committee on Accounts be requested to procure a copy of the act of the General Assembly, now in session, fixing the mileage of members of the General Assembly, and that the mileage of members of the Convention be audited according to the provisions of said act.

The **Chair.** I will remark to the gentleman that that is already the law.

Mr. **McFerran.** Yes, sir; but I understand that the General Assembly, during the present session, has changed the law.

The **Chair.** The new law, I understand, will not go into effect until the first of May.

Mr. **McFerran.** Then I withdraw my substitute.

The question recurring on the original resolution, it was adopted.

Mr. **Wilson**, from the Committee appointed a few days ago to contract with two competent persons to report the proceedings of the Convention, made the following report which was adopted:

Mr. President: The committee to which was referred the resolution requiring said committee to employ two competent persons to report the proceedings and debates of the Convention, report that they have discharged that duty, and have employed L. L. Walbridge and Ernest Schrick, gentlemen well qualified to discharge the duties required, and have agreed to pay said reporters each six dollars per day during the sitting of the Convention, all of which is respectfully submitted. WILSON, Chairman.

By Mr. Brown:

Resolved, That when this Convention shall have finished the business for which it was convened, it shall adjourn to meet in the Representatives' Hall, in the city of Jefferson, on Monday, the 1st of July, 1861.

Resolved, That a committee of seven be elected by ballot, to be composed of one from each Congressional District, whose duty it shall be to convene the said Convention prior to the day herein designated, should any exigency require such proceeding; and this shall be done by giving fifteen days' notice in one newspaper in each Congressional District of the time and place of holding such Convention.

Resolved, That the committee, as soon as practicable after their election, meet together to appoint a Chairman, and establish the rules by which they are to be governed in convening said Convention or deciding upon the practicability of so doing.

Mr. Welch. I move to lay the resolutions on the table until to-morrow and have them printed.

Mr. Breckinridge offered the following:

Resolved by the People of Missouri in Convention assembled, That secession is a dangerous political heresy, finding no warrant in the Constitution or laws which lie at the foundation of our systems of government.

Resolved, That Missouri will do nothing to sanction, support or countenance the pretended right of secession, since its approval by the people involves the destruction of all our institutions, whether State or Federal.

Resolved, That the Government which our fathers formed, and which for nearly three quarters of a century has failed in nothing to answer the ends for which it was established, is suited to the habits and adapted to the wants of the American people, and that every dictate of wisdom requires us to direct our efforts rather to its preservation than the formation of any substitute for it.

Resolved, That we deplore the action of some of our Southern brethren in adopting ordinances of secession, and assuming a hostile attitude toward the Federal authorities. In asserting that secession is a remedy for the grievances of which the South complains; in seeking to destroy the Federal Government, which is of itself guiltless of wrong; and in forgetting that in and through the Union are better means and ampler facilities for redressing all grievances than out of it—they have committed grave errors; and whilst Missouri will exhaust all efforts in restoring harmony and securing justice, she recognizes no obligation to support them in these proceedings, believing that thereby she would prejudice rather than promote the best interest of all concerned.

Resolved, That it is essential to the existence of government that some authority should be charged with the duty of executing the laws, and that the proper action of the constituted authorities should be supported and obeyed; and although we deprecate any collision between the Federal Government and our disaffected Southern brethren, it is the opinion of this Convention that these duties and obligations, as prescribed by and under our Federal Constitution, cannot be annulled or impaired consistently with the peace, dignity or existence of the governments, State or Federal.

Resolved, That for the thorough and final removal of all cause of complaint against our brethren of the Northern States, we desire the enforcement of the constitutional guarantee concerning the rendition of fugitives from service, a renunciation of any purpose to interfere with slavery in the States or in the District of Columbia, or with the inter-State slave trade, and some equitable and complete adjustment of the territorial question; based upon an abandoment by the North of any purpose to use the power of the General Government to repress or extinguish slavery, and by the South of any purpose to use the power of the General Government to perpetuate and extend it; and that we confidently rely upon the justice of our Northern brethren to aid by appropriate legislation, or by adequate constitutional amendments, in producing these results, and in securing their enforcement and observance by a cordial compliance with their spirit.

Resolved, That we appeal to our sister States of Kentucky, Arkansas, Tennessee, North Carolina, Virginia, Maryland and Delaware, whose interests are so closely identified with our own, to stand firmly with us in the position we assume, asking of our Northern brethren the full recognition of our just claims, and of our Southern brethren a reconsideration of their hasty action; that so may be restored the old relations of peace, prosperity and perfect Union.

Mr. Comingo offered the following:

Whereas, under our Federal Government we have been one of the greatest and one of the most prosperous nations of the earth; *and, whereas*, said Government, if faithfully administered, will ultimately secure to its subjects a degree of happiness and greatness never yet attained by any other people; *and, whereas*, there are strong reasons for fearing that the conflicting views and feelings of the people of this confedercy may result in the subversion of the Government under which we have so greatly prospered, and plunge our nation into the vortex of civil war, and drench the land with fraternal blood; *Therefore,* we the people of the State of Missouri, in Convention assembled, do hereby

Resolve, That under the Federal Government the people of the United States of America have hitherto been greatly prospered at home and respected abroad; and that to it they are mainly indebted for the high position they have attained among the nations of the earth.

2. That we are warmly attached to the Federal Union, and that we will not cease our efforts for its preservation, until hope that we may obtain an honorable settlement of our difficulties, ceases to be rational.

3. That we believe all our national difficulties may be settled, and that peace and fraternal feeling will be again restored, if the people of the North should be allowed the time, and can obtain the privilege of uttering their voice at the ballot box.

4. That without the further exercise of a spirit of forbearance, conciliation and compromise, there can be no hope of an adjustment of our national difficulties; and that unless they be amicably adjusted, civil war will inevitably ensue; and, as a necessary consequence, financial and social and moral ruin must follow, together with scenes of carnage and violence without a parallel in the history of our race.

5. That in the opinion of this Convention the compromise resolutions offered by Senator Crittenden at the late session of Congress, present a basis of adjustment that is at once honorable and permanent; that it is not unreasonable to hope that, the seceded States would ultimately return into the Union on that basis were it adopted; and that no propositions, materially differing from those above indicated, will be so well calculated to restore peace, and dispel the darkness that overshadows the land.

6. That whatever may be our views touching the action of the seceded States; however much we may regret their haste, and however much we may feel the injustice which they have done their sister slave States, we believe any attempt on the part of the General Government to coerce them back would involve the whole nation in civil war, and would forever preclude the possibility of a re-union of the States.

7. That whether Missouri shall continue to occupy her present status, or shall hereafter be compelled to seek other alliances, she will not submit to, nor tolerate, but will resist and oppose any attempt that may point to the coercion of the seceded States.

8. That in order further to carry forward our efforts to procure our liberties and union, we recommend a Convention of the people of the border States for the purpose of presenting a plan of adjustment to be submitted to the people of all the States that have not seceded.

Mr. McDowell offered the following:

Resolved, That the Hon. John Reynolds, late Governor of Illinois, be invited to address this Convention in this Hall, next Friday evening.

Adopted.

By Mr. Moss. *Ordered,* That the Inaugural Address of the President of the United States be committed to a committee of the whole House, to be denominated "The Committee of the Whole on the State of the Union."

Mr. Moss. I am aware that a motion of this sort was made by the gentleman from Clinton (Mr. Birch) yesterday, and withdrawn. But I hope the Convention will pass this resolution. I think, sir, that it is a harmless subject which the Convention can discuss during the leisure hour. Our Committees have not made any reports to the Convention calculated to elicit any debate, and I find a good many of the members of the Convention desire to discuss this matter, and I hope the resolution will therefore be adopted. There are, sir, I believe, ninety-nine members of the Convention, when all are present, and so far as I have been able to ascertain, I believe there are ninety-nine different opinions as to what that message means. I think, therefore, that no harm can grow out of a discussion on that message. It is a matter of some importance that we should know what it does mean. The country has looked forward to it with great interest. Those who have been in favor of taking Missouri out of the Union and of breaking up the Confederacy, have declared that message would be in favor of war, while others who are friends of the Union have looked forward to it as the harbinger of peace; and, sir, it is surprising to see what different impressions are made by that message, not only upon different members of this Convention, but upon all our fellow-citizens throughout the country. The telegrams, sir, that reached this city yesterday announced that in various parts of this Union that message was looked upon as the messenger of peace, while in other portions it was thought to have nothing upon its face but war; and, sir, the people of Missouri are anxious to have it understood what that message does mean, for upon the tone of that document and upon the policy recommended therein, depends, in a great measure, the action of the people of Missouri. And, sir, they will look with great anxiety to see what interpretation we put upon it. Without further discussion, I hope the Convention will pass the resolution.

Mr. Hatcher. I differ with the gentleman from Clay that this will be a harmless measure. From his own argument we learn that there would be ninety-nine different opinions with regard to the

Inaugural. I believe it is necessary for the success of any measure in order to secure its adoption, that there should be perfect harmony in regard to it. We have referred all important measures to the Committee on Federal Relations—everything that touches our relations to the Federal Government. That Committee will in due time make a report, and then every member of the Convention will have an opportunity of making known his sentiments to this Convention as to what our relations are to the General Government. I believe the adoption of this resolution would be an apple of discord thrown into this Convention which would unfit us for calm consideration on the report of the Committee on Federal Relations, and therefore I hope this resolution will not pass.

Mr. IRWIN. I object to the passage of this resolution, and move to lay it on the table.

Motion sustained.

Mr. GANTT offered the following resolution:

1. *Resolved,* That the Government which is the birthright of the citizens of this Union, resulting from the combined action of the Federal Constitution and those of Federal States, is, beyond any of which history speaks, calculated for the promotion of the great ends for which governments were established among mankind.

2. That the physical peculiarities of our widely extended country, and its varieties of soil and climate, necessitating a diversity of pursuits and a division of labor, and seconding most auspiciously the far-reaching and long-sighted wisdom and patriotism of those who laid the foundations of the American Union, have raised this country, in the short space of three score years and ten, to the full stature of a first-rate power, differing from other nationalities of equal rank chiefly in this: That whereas centuries of struggle, of misfortune, and painful vicissitude have brought *them* to their present state, *our* happy condition is the achievement of hopeful and expanding youth—a few years of prosperity uncheckered with reverse—and the blessing of Heaven upon the best system of government which the wisdom and piety of mankind ever devised for the welfare of the human race.

3. That while nothing which is the work of living man is free from imperfection, it may be said, without unbecoming presumption, that the successful solution by the fathers of our nation, of the great problem of government, (which never before was able to hit and maintain the golden mean between despotism and anarchy,) has not only made the United States the envy of the universe, but has been, and, despite the dangers that threaten us, *still* is, the pole star and the watch-word throughout the world of those who are struggling for liberty.

4. That while this is the benign aspect which this country wears towards oppressed and struggling nationalities, our flag, which now waves over every sea, carries to the governments of the remotest regions of the earth warning that wherever the humblest American citizen is found, the protection of a mighty, vigilant and proud nation accompanies and watches over him.

5. That the enjoyment of the innumerable blessings which flow from our national Union is a boon for gaining which the most spiritless of mankind would gladly barter their blood; and that the people of the United States, on pain of being condemned as unworthy and degraded men, standing in most hideous contrast with their heroic forefathers, must transmit this sacred inheritance unimpaired to their children.

6. That coercion, in the sense of civil war waged by one section of the country upon the other with the design of bringing any State or States into subjection, and holding them as conquered provinces, is not only a moral, political and military impossibility, but is subversive of the central idea on which the Union of these States was formed; but that the same word in the sense of a faithful execution of the supreme law of the land (of which the Fugitive Slave law and the law for the suppression of the African slave trade are examples) means no more than what is inseparably bound up with the very nature of government—and that government deprived of its healthful functions is the idlest of all solemn mockeries.

7. That the present is a crisis, the importance of which no language can exaggerate. That our national existence, our civil liberties, the right of every peaceful and orderly citizen to enjoy the fruits of his toil and freedom from the tyranny of tumultuary violence, all depend upon what the next few months may bring forth. That in the conclusions which may then be reached will be found the answer to the inquiry, whether this proud and powerful nation shall become a hissing and a reproach, furnishing one more theme for the exultation of the friends of arbitrary government, or shall vindicate our claim to be considered as the faithful depositories of the best hopes of mankind.

Mr. FLOOD offered the following:

Whereas, Seven of our sister States have withdrawn from the General Government, and have formed a new confederacy; therefore,

Resolved, That it is the wish of the people of the State of Missouri that the officers and soldiers of the forts, and the officers of the custom houses belonging to the United States, within the limits of the seceding States, be withdrawn.

Resolved, That the President of this Convention make known our wishes to the President of the United States.

The foregoing resolutions were severally referred to the Committee on Federal Relations.

Mr. PHILLIPS offered the following:

Resolved, That a committee of two be appointed by the President to wait upon the Hon. John B. Clark, and invite him to address this Convention.

Mr. Broadhead. The Convention has already extended an invitation to an Ex-Governor of Illinois. I voted against that proposition, and I would like to know where this thing will end. How many distinguished men from different parts of the country are we to listen to upon these subjects? It was altogether proper that we should hear the views of gentlemen who were Delegates to the Peace Conference at Washington, because their action is allied to the action of this Convention, but I do not think it is proper to go outside, and solicit citizens from different parts of the country to address us.

Mr. Bogy. I want to make a motion to amend the resolution, if in order, by adding the name of John W. Noell. Motion sustained.

Mr. Dunn. I move to add the name of Hon. Mr. Craig.

Mr. Orr. It does seem to me that if we have nothing to do but invite men from various portions of the State to address us, we had better adjourn and go home. The people of Missouri are to-day being taxed to pay for deliberative assemblies and officers of State as much as $2,000 per day. I am very fond of hearing men talk, but I am willing to hear them at my own expense. When I undertook this job, I did not suppose that the people of the district sent me here for the purpose of inviting men from various counties to speak. I thought we were here for the purpose of transacting business, if there is anything to do, but it seems to me there is nothing. We sit here two hours every day and have done nothing, when we ought to have gone home long ago, and I think it is due to the people that sweat and toil throughout Missouri that this thing should be brought to a close—and if we have nothing to do but to hear men speak, I shall, before to-morrow night, move an adjournment.

Mr. Sheeley. I move to amend the amendment, if in order, so as to include all the representatives of the present Congress that may be in the city. [Laughter.]

Mr. Turner. If it will be in order, I suggest that we insert the names of the members of the Legislature. [Renewed laughter.]

Mr. Long. I move to insert the name of Claiborne F. Jackson in the amendment.

Mr. Phillips. I did not suppose that the addresses of these gentlemen would infringe upon the deliberations of this body. We have been waiting for the last two days for the reports from the various committees, and I merely offered this resolution as a matter of courtesy to distinguished gentlemen present, believing we could not better appropriate our leisure time than by listening to addresses from these gentlemen.—The impressions of what they have seen in Washington would not infringe upon the deliberations of this body, and I should not have offered the resolution if I had supposed that it would have interfered with the duties we are called upon to discharge. But inasmuch as there seems to be objection to it, if it be in order, I ask leave to withdraw.

The Chair. It is not in order without leave of the Convention.

Voices. Leave!

The Chair. Does the gentleman ask leave?

Mr. Phillips. I do.

The resolution was then withdrawn.

By Mr. Brown. *Resolved,* That the resolution requiring all resolutions to be referred to the Committee on Federal Relations to be printed, be rescinded.

Mr. Welch. Is it in order to rescind a rule without one day's notice?

The Chair. It is a resolution, sir, and not a rule.

Mr. Welch. I understand this rescinds a rule of the house already adopted.

The Chair. My impression is, it rescinds a resolution and not a standing rule.

The resolution to rescind was adopted—ayes 39, noes 27.

By Mr. Matson:

Resolved, That this Convention invite Judge A. H. Buckner to address us on the subject of his mission to the Peace Congress.

Mr. Gravelly. I desire to amend by inserting the name of Waldo P. Johnson, who was also a member.

Mr. Phillips. I move to lay the resolution on the table. Motion sustained.

By Mr. Irwin:

Resolved by the People of the State of Missouri in Convention assembled, That the basis of settlement proposed in the resolutions of the Hon. John J. Crittenden, of Kentucky, had the same been adopted, would have met with our hearty approval, believing at the same time that they contained nothing to which the South is not justly entitled; yet in view of the dangers which surround us and which threaten the disruption and final overthrow of our glorious Republic, involving interests the value, yea, the preciousness of which can never be estimated, we will approve of any other fair and honorable plan of adjustment that will bring peace to our distracted country, and furnish proof to the world that as a nation we are one great people, one in name, one in interest, and one in destiny.

Mr. Shackelford, of Howard. Having voted in the affirmative on the resolution inviting ex-Governor Reynolds to address the Convention, I move a reconsideration of the vote.

The vote was reconsidered, and the resolution then laid on the table.

By Mr. WILSON. *Resolved*, That the people of Missouri through their Representatives in this Convention assembled, do hereby tender to the Hon. JOHN J. CRITTENDEN, of Kentucky, and the Hon. STEPHEN A. DOUGLAS, of Illinois, their thanks for their patriotic, able and untiring efforts, during the past session of Congress, to adjust the sectional difficulties which now distract the people of this great Confederacy, and, although they have been as yet unsuccessful, yet we feel sure that the labors of these noble patriots will be gratefully remembered by every true friend of liberty and Union in all time to come.

Mr. BIRCH: Mr. President, as we seem to have nothing to do, and as it occurs to me it would be advantageous to us to understand, as far as practicable, the respective opinions of each other, upon the great questions that have brought us together, I yield to the desire that has been manifested by many that I should indicate the views I entertain, not only in regard to the resolution which has been offered by the gentleman from Andrew—but, going probably a step beyond it, to glance at the questions which will alone divide us (if indeed we *shall* be ultimately divided) in respect to our action here. My remarks must, nevertheless, be less connected than I would desire them to be—seeing that I speak thus from the impulse of the moment, and without either notes, or books, or preparation of any kind.

As to the resolution, it proposes simply to tender the thanks of Missouri to two illustrious statesmen—one from a slave and the other from a free State—for their noble and patriotic exertions to perpetuate the Union of these States. The resolution is not stronger—nor is it indeed as emphatic in their favor, as history will by and by be; for while others have faltered—whilst men on the right and men on the left, of all sections, have stood awe-stricken at the portents of the last few weeks at Washington—whilst the telegrams of the despondent and the treacherous were sent over the Union to the effect that "all was *lost*," the telegrams of the next day, over the signatures of those brave and hopeful Senators, would reassure the drooping heart of the country, that it might yet be *saved*; and bidding those who loved it to continue to "stand *fast*." All honor to those noble men! There may be a possible diversity of opinion in respect to the plans they respectively matured, each looking to the same glorious end, but I will not anticipate that the vote which will be taken, after the subject has been discussed, will embody the record of a single dissenting voice.

Passing to a very brief review of some of the more general points of controversy and of prejudice with which our duties here are complicated, I trust I may be pardoned for premising, that when gentlemen permit themselves to speak of the aggressions of our Northern brethren during the last forty years, and of the election of Mr. Lincoln as the culminating point of those aggressions, I am constrained to interpose at least "the truth of history" to mitigate, if it may not avert, so indiscriminate an inculpation. I will not say, therefore, that the accusation is the very *reverse* of the truth, but this I will say, and respectfully challenge thereto a respectful denial: I say, then, that during this entire and exact period of "forty years," whilst we have had much to complain of in the conduct of the North, my recollection of political history is that the South have never been united in a single demand upon the justice and fraternity of the North that was not ultimately written down in our Statute books by the aid of their votes in Congress.

To commence with the question of admission into the Union of the noble State we are here honored to represent in its highest final prerogative of political sovereignty, who does not remember that after it had been kept out of the Union for an entire session of Congress, in consequence of the preponderance of extreme opinions in opposition to the extension of slavery, (*then* as *now*,) the question was finally adjusted, at the instance of the South, and with the concurrence of its leading statesmen, by the admission of Missouri, and the division of all the remaining territory by what has been since known as the "Missouri Line," of thirty-six degrees and thirty minutes. I am not here to inquire to-day whether this Southern "compromise" was a judicious or an injudicious one, but to adduce it as evidence of an ultimate concession by the *North*, after she had apparently reached as determined an opposition to the extension of slavery *then* as she has *now*. If it be replied that she subsequently objected to the extension of the Missouri line to the Pacific, so as to cover and include our acquisitions from Mexico, it is but just to add that she soon acquiesced in the Southern demand for the *repeal* of the Missouri line, and the restoration of the great principle of "non-intervention"—and that by the aid of her lion-hearted Democracy we carried the subsequent election of Buchanan against Fremont, as we would have carried the last one against Lincoln had we but stood by our platform and a single candidate, instead of dividing amongst ourselves, and thus dispiriting our allies. I am not going into that now, however, and hence pass on.

The next instance in which truth and candor compels me to regard the action of the North in a light very different from that which has been so undiscriminatingly imputed to her, has reference to the annexation of what is called the Platte country. It is a noble region, Mr. President, and nobly represented here to-day by slaveholders—including the new Congressman from Platte—a circumstance to which I advert for no other purpose than to add, that one of the strongest anti-slavery men in all New England wrote and brought in the report from the Committee on Indian Affairs, in favor of thus adding a Congressional district then covered by slavery *exclusion* to the slaveholding State of Missouri. That man was HORACE EVERETT, of Vermont, and he put it in his report, (copying from the legislative memorial of our State,) that it was expedient and necessary to do so, in order the better to protect Missouri from the incursions of the Indians, who (by the same report) were to be removed across the river, into the then unorganized Territory of Nebraska. Speaking simply what I *know*, Mr. President, I leave this act of the North to speak for itself in refutation of the wholesale *denunciations* of the flippants, by whom the more sober men of the country are sometimes maligned and misrepresented, and the less informed correspondingly misled or misdirected.

What next, Mr. President, in this unintermitted crusade of forty years, according to the allegations of those who seek alone to "fire the Southern heart," and "precipitate" its too impulsive people into all the horrors of "revolution?" What next? Look yonder to that cotton empire in Texas—of area sufficient to employ every slave this day in North America—and let the man who reads *only* the newspapers (if nothing else) answer to himself who it was that gave the most votes for "Polk and Dallas, Oregon and Texas"—the men of the North or the men of the South?

What next? Who was it in 1850 that gave repose to the country, after an agitation that had shaken it from its centre to its circumference on this same question of slavery? Need I point you, gentlemen, to the immortal committee of thirteen, with Henry Clay as its Chairman, and Lewis Cass, a Northern Democrat, on his right, and Daniel Webster, a Northern Whig, on his left, and Douglas next, and so on, Whigs and Democrats—pro-slavery men and anti-slavery men—North and South, and East and West—forgetting for the time, as I trust we have forgotten here, that they were party men, and intent alone, as American Senators, to save the country by doing justice to all its sections and to all its interests. They *did* save the country by the series of measures they agreed upon in committee, and which were passed by Congress and accepted by the people, amongst which was the Fugitive Slave Law, of which I shall perhaps speak more fully in another connection.

Another accusation which is unjust to the North as a *section*, however reprehensive in too many Northern *localities*, has relation to the obstructions which have been interposed to the execution of the fugitive slave law. I speak not of the legislative enactments of many of the Northern States, being gratified to find that they are included in the accepted report of the Committee of Thirty-three, and that they are otherwise in the course of being satisfactorily modified or wholly repealed. I speak therefore of the abuse to which the conduct of bad men in Chicago and elsewhere is perverted by the partizans of secession in this State, who print or tell only so much of this story of our wrongs as will influence the less informed and unreflecting to the point of believing that a majority of the citizens of the free States, are "negro thieves at heart," and that the "rescuers" at Chicago, Cleveland and elsewhere, are but the representatives of the general public *sentiment*. Gentlemen, *we all* know that this is disingenuous and untrue, and we should *all* have moral courage and firmness to so proclaim it to our constituents and the country. If I *believed* this, I would treat the Government and people of Illinois, and the other free States, as a hostile and an alien people, at once and forever. When I have seen, however, that even in the most recent and audacious rescue case at Chicago, the ringleaders were all speedily indicted by a Chicago grand jury, and, judging from all the past, that they will be visited with the final penalties of the law they violated, I am no more in favor of breaking up the Government, and giving it over to the lawlessness of those bad men in Chicago and elsewhere, than I would be in favor of breaking up the Methodist Church South, of which I am an humble member, because bad men are occasionally found even within *its* hallowed precincts. No: I would use the discipline of the *Church* to deal with *its* offending members, just as I would use, and as we are now using, the Fugitive Slave *Law* to punish those who violate *it*. My word for it, if we but "hold on," the bad men in both cases will get "tired" first.

It is brought forward as the crowning element wherewith to dispirit us, that the Northern people have at last elected a sectional candidate upon a sectional platform, and that we have no reason to hope that they will change their verdict. I scarcely know how to address myself to a proposition of that kind, and will hence simply present such countervailing *facts* as may present themselves to my mind, and will leave the Convention, when they retire, to reflect upon what I have thus desultorily thrown together, and put the disjointed fragments into the proper connections of a speech. My purpose will be to array the authority of the *men* of the North against the *politicians* of the North—it being the *people* of that section whom it will be our duty to address in the name and by the authority of the people of our own section. To the alleged declaration of Mr. Sumner, therefore, whose authority has been invoked by the despondent and the treacherous amongst us, that the Crittenden propositions were an insult to Massachusetts—to this insolent and summary disposition of the propositions of the senior Senator, whom it is the intention of our resolve to honor—it is deemed sufficient to reply that whilst the *Senator* from Boston was thus speaking for the edification of disunionists North and South, the *people* of Boston—14,000 out of 18,000 or 19,000—were signing and transmitting a memorial to Congress, wrapped in the American flag, praying the fraternal adjustment of all our complications, upon the basis of the Crittenden proposition. I speak in presence of our returned Congressmen, who honor us with their presence to-day, and they will correct me if I have fallen into any error in the statement I have thus repeated. If it be true, then, that even in fanatical *Boston*—the home of *Sumner*—three-fourths of the people are *opposed* to the extreme opinions and *purposes* of Sumner, when brought practically in contact with the great purpose of preserving the Union upon the basis suggested by the Senator from Kentucky, how *dare* we draw the inference that the Northern people are determined to hold us to their Northern platform—Union or no Union. I therefore appeal from Sumner to Sumner's constituents; from the men who disgrace the Senate carpet to the men who honor the furrow and the workshops; and taking hope, accordingly, I proclaim myself "a Union man," because I have an abiding confidence that such adjustments of the past and such guarantees for the future, as will enable us to plow and to sleep as securely and enjoyingly as our brethren of the North do, will be accorded to us under the forms of the Constitution and the sanction of the laws.

Having thus denoted that I have yet faith in the manly justice of a majority of the *people* of the North, it is but proper to add, that so far as my counsel can avail in this body, they shall be appealed to as m-e-n—men with like infirmities of temper and of pride, but yet with like perceptions of justice and of duty that we claim to possess ourselves. If we but thus interrogate our own natures, and ask of each other the question as to how we would desire or expect to be addressed ourselves, we will be at no loss in so shaping our expostulations as to obtain for them a frank and fair hearing; and I feel just as certain that the complications which now so earnestly summon us to counsel will be properly adjusted *in* the Union, as that the *people* of the Union are capable of just and rational self-government. Sir, that feeling has been so interwoven in the texture of all my political education, that at the age of fifty-seven I may safely assume it is the last reliance that will forsake me. It is upon that reliance, I repeat, that I am "a Union man;" and that although Southern—"to the manor born, and to the manor bred"—a native of Virginia, educated into manhood in Kentucky, and having worn out that manhood in Missouri—neither my education nor my observation has been such as to cause me to abandon my reliance upon the ultimate justice of any portion of my countrymen, North or South.

But I have been inquired of, upon a point of consistency, in this wise: "If, as you assume, disunion be no remedy for any of the wrongs of which we complain, how does it come to pass that even *you*, in a given contingency, will no longer stand up for the Union?" My answer shall consist of an analogy which will render it at least appreciable by those who have neighbors in the country, upon adjoining estates, as I have. With such it is not only convenient but *profitable* to live upon terms of reciprocal respect and mutual good will, and so I shall ever expect and strive to live. But if instead of reciprocating (as I know he does) the kindly offices of good citizenship and good neighborhood, even the estimable and distinguished colleague who is so honoring me with his attention in the course of these wholly unpremeditated remarks, were to so far forget his own just and fraternal nature as to poison my springs, or fire my barns, cast down my fences, and destroy my stock, I might sufficiently subdue myself to expostulate with him, as I propose that this Convention shall do with even the *worst* men of the North. If my neighbor were to relent, it would be my duty to forgive him, and we would continue to be neighbors, with no other remembrance of the past than the infirmities of the past. If, instead of relenting, however, of past injustice, the man who calls himself my neighbor shall turn upon me the glance of defiance or the leer of disdain, and it shall thus or otherwise become apparent that the evil and unneighborly practices, of which I had the right to complain, are to be kept up, then *I will have no more to do with that man*—COME WHAT MAY!—So of the association of these States, Mr. President, if a majority of the people of the now dominant section shall become *deliberately* unjust, *persistently* annoying and hopelessly unfraternal.

Having thus, perhaps, sufficiently indicated my judgment (or more properly my feelings) that such a point *may* be reached between neighboring States, as well as neighboring citizens, that the long-wronged party will no longer consult the mere question of *interest* in determining his future association or dissociation, I dismiss the proposition by reiterating the opinion and the hope that we shall never be called to deplore so unhappy a period in our history as a nation. Wrongs there will occasionally be, for (as remarked upon another occasion last summer) *these are incident to all things human.* They may, however, be redressed in the future, as in the past, and all move on again together under the Government of our fathers, as well as under any *other* government—for let it never be *forgotten*, on the contrary, let the axiom be ever *present*, that as no government can be better than the people who institute it and the people who carry it on, the conflicting opinions and interests which sway mankind must be composed and "compromised" in any and *every* Government where men are recognized as equals.

Mr. President, weary and unfit as I find myself to be to continue these remarks—disobeying, as I have done, the injunctions of my physician in having spoken too long already—I feel, nevertheless, strengthened to continue them yet a little longer, in order to denote the estimate which is formed of those who stand by the flag and the *laws of their country*, by those who have no other merit than the earnest facility with which they counsel *resistance to both.* For this purpose I will read a paragraph from the organ of *the Secessionists in my county town*—and I do this with the less reluctance, as for once the editor writes and prints the truth! In a copy of the paper which some *friend has forwarded me* through the post office, and which has been handed to me since I came in this morning, there occurs this paragraph:

"Judge Birch started out in the canvass, indorsing the doctrine of coercion, that is, he said that the United States Government had the right to place ships outside the different Southern ports, and there collect all revenues; and *if that* is not coercing, we would like to know what is. Judge Birch asserted this doctrine as being right and just."

Well, Mr. President, I *did say that* the Government of the United States had the right to collect its revenues in that manner, and I then said, and I yet say, that in my judgment it would be the mildest and least offensive manner in which the Government could assert an authority which she has never abnegated, and which (looking to equal justice in the enforcement of all other laws—the Fugitive Slave law included,) I trust she will *not* abnegate. Unless Congress grant the power to the President so to collect the revenue in the disturbed districts, he will of course be thrown upon other expedients; and although I may come presently to speak of his inaugural message more fully than is necessary at this point, I congratulate the Convention and the country that he stands pledged "in every case and exigency" to use his "best discretion," "according to circumstances actually existing, with a view and a hope of the *peaceful solution* of the national troubles." To those who so flippantly deride the proposition to so far respect the *feelings of our misguided brethren in* Charleston as to collect the national revenues on shipboard, beyond the reach of their guns, I but commend the special message of Andrew Jackson, eight and twenty years ago, in reference to the same subject, and which I had the honor to read from the proper public volume before the two Houses of the General Assembly on the evening of the 7th of January last. It was unanswered then, and I think it unanswerable now, except by including the soldier-statesman of the Hermitage and a majority of both Houses of Congress of that day, in the same category of disrespectful denunciation which we now hear in respect to every proposition which looks even to the *theoretical* assertion of the authority of the Government.

Sir, I am of those who do not regard South Carolina, or the other States which *think* they have absolved themselves from allegiance to the Government in which they have so long shone as cherished and resplendent members, as being either out of the pale of the Government *authority* or the Government *protection.* And whilst I would forbear, as already indicated, any undue or injudicious *exercise* of the authority alluded to, I would resent with even a keener sensibility, and redress with even a less relenting hand, any indignity or any wrong which may come upon her from those who may imagine she is alien from the sympathy of her sisters. I cannot better denote my feelings in this respect, Mr. President, than by reference to a case in the *domestic* family, and which I am thereby the more able to bring home to myself, as doubtless it will go home to the heart of every father and every mother in this crowded hall. Away off in the old historic city of Alexandria, on the eastern edge of the "Old Dominion," I have a son at school, preparatory to entering him at the University, where some friends premonish me he will be taught "secession," but where I simply expect him to graduate in the Madisonian school of "State Rights." Semi-annually I send that son the means of defraying his expenses—the troublous times upon which we have fallen having reduced me to the necessity of making his last remittance, last week, through one of the financial institutions of this city, the President of whom is a member of this Convention, and is now honoring me with his ear. Well, sir, suppose that son, when receiving his father's draft, shall yield either to bad counsels or to the impulse of young and wild adventure, and instead of handing the proceeds to the good old President, (of whose family I have also made him a member,) shall determine to use it in transporting himself beyond the reach or the influence of parental authority—to Mexico or some of the islands of the seas, there to set up for himself. I need not say that I would be deeply grieved, Mr. President—for that would be an expression too tame for either your feelings or mine—but this I say, and claim for it a response in every father's breast, that more than ever before I would continue to remember that with all his waywardness he was still my child; and if wretch so craven, or coward so presuming, should dare to strike or wrong that wandering, unprotected boy, I would hunt him to the ends of the earth that he should feel the last might of the old and withering arm of his outraged father. And so of the wronged yet precipitate sisterhood of States, from whom we have heard through the public prints, and more recently face to face, in this hall, through the accredited representative of one of them. Be their ultimate destiny what it may, we can never forget that with us they have given a historic and glorious renown to the flag of a common country—and as allusion is sometimes made to the intervention of France and England, on the one side or the other, in respect to the unhappy complications by which we are environed and imperilled, I but speak the sentiments of the brave and loyal men who sent me here—as I believe I speak the sentiments of every man (who *is* a man) in this great broad State—that any foreign government which shall intervene to wrong the weakest or the most erring of the American sisterhood shall feel the outraged arm of every American citizen.

And now, Mr. President, with such an allusion to the Inaugural Address of the new President as may become a citizen who perhaps expended at least as much time and strength in an earnest and an ardent effort to defeat him as any other in the State—with such an allusion to that message as may become the high place from which I am thus honored to speak, I will trespass upon the sustaining courtesy of this intelligent and brilliant assembly no longer. I trust I may be able to speak of that paper with becoming consideration and candour—remembering only that I am henceforward a tribune of the people, and no longer a political partizan. If so, Mr. President, I will have accomplished that most difficult of all political achievements, namely, the high and holy duty, in times like these, of rendering justice—simple justice—to a political adversary. I know that it requires not only a high, but an elevated and a self-abnegating courage to do this, and I pray for strength accordingly.

What, then, is the sum of the message which the country has received from the new President since our assemblage in this Hall? I have not only read it carefully and criticisingly, but so often as to have almost committed it to memory; and the men of the furrow and the workshop, who sent me here, will at least bear me record, that it is substantially such a message as I predicted, against all clamor to the contrary, it had to be. In respect to the execution of the constitutional provision for the rendition of fugitive slaves, and in the total abnegation of either official authority, or of personal inclination, to interfere with the existing institutions of the South, would it not be both disingenuous and ungenerous to meet the apparently *total* unreserve of the Executive with even an *affectation* of distrust in regard to his sincerity? I not only think so, Mr. President, but, for one, I should feel that I was compromising *my own* character for sincerity, were I thus causelessly to attempt to impugn the sincerity of the highest functionary of my government—albeit my last choice, even for the nomination which resulted in his election. Such a line of opposition might possibly be pardonable under the law of the hustings, but we occupy here a different forum, and I shall attempt to address myself accordingly.

Having next demonstrated that the Union is *not* dissolved, the message but naturally approaches the great question of executive duty in respect to the execution of the Government laws, which directs the collection of the Government revenues. Concurring with the judgment of those who reduce all that is said upon that subject to the theoretic assertion of the *right* to collect the Federal revenue, and the duty to do so, or to forbear to do so, for the time being, as the one course or the other may best promote "the peaceful solution of the national troubles," may it not be inquired whether a more considerate and delicate *forbearance* of a mere "legal right" could be indicated by an executive officer, without formally surrendering the *right itself?* We have but to read upon this point the words of the message itself, for, unless they be *intended* to deceive, they must be regarded as conclusive of the purpose to employ the executive discretion "in *every* exigency, according to the circumstances actually existing, with a view to the peaceful solution of our national troubles, and the restoration of fraternal sympathies and affections."

If, Mr. President, under words like these *any* President of the United States could be supposed cowardly and base enough to cloak the purpose of unnecessary or unfraternal civil war, there might even *yet* be doubt of the policy of Mr. LINCOLN. As, however, the double depravity implied in such a purpose is too monstrous for human credulity, I dismiss the thought—HOLD THE NEW ADMINISTRATION TO THEIR BOND—and as between the theory of fraternal and legal "Union," upon which they place themselves, and the opposite theory of secession and aggressive war, upon which (if it be so) the *new* government reposes, I scruple not to avow, here in my place, that the sympathies and judgment of my people are with my own—on the side of the government of the "*United* States" and in opposition to the Government of the "*Confederate* States."

It will of course be with the latter government to determine whether it will listen to the counsels of those of its own section, and elsewhere, who are looking to such adjustments of the past, and such guarantees for the future, as shall render the benefits and burdens of the Union reciprocal, and its continuance correspondingly fraternal and enduring—for, if Mr. Lincoln shall keep his word, in the sense in which he intended it should be understood by all his countrymen, it will be neither from the fault or the folly of his Administration if the menaced disintegration which as yet has been without result in blood, shall wear on to that decisive and final extremity. God of our Fathers! may the orisons of a whole people ascend to Thee as grateful incense; and wilt Thou mercifully avert from them the horrors of a brothers' war!

But I may be asked, as I have been, what I would have the new Government to do in respect to the redelivery of the public forts, and the collection of the public revenue. As I may answer the latter branch of that question here, without the presumption of supposing that it will be listened to elsewhere, unless embodied in the address which I think should be issued by this Convention, I will remark, with the greatest deference to the judgment of others, that in my opinion it would well become the approved soldier and statesman who is at the head of the Provisional Government at Montgomery, were he so to exert the influence to which he is but justly entitled, as to avoid any conflict of jurisdiction with the Government out of which he claims to have sprung, during the period whilst millions of men, as brave as he is, are exhausting themselves to avert it. If, after such an appeal as will be made by this Convention, in conjunction with others, it shall be found that a majority of the people of the North are as unreflecting or as obstinate as many of those whom they have heretofore chosen to represent them—if, contrary to all my expectations and belief, and the expectations of the "Union men" who sent me here, there is reserved for us the humiliation of finding ourselves deceived in respect to such guarantees for the future as will enable us to toil with the same hope, and to sleep with the same security as our brethren of the North do—then, Mr. President, but not *till* then, let the conflict come which is to decide the controversy of rival *Governments*, and a thenceforth rival and embittered *peoples*. Until then, let the new Government at least go no further than to so far maintain its organization—not in unnecessary menace or annoyance, which I am sure would not comport either with the taste or the inclination of its Executive—but holding itself ready to resolve itself again into the Federal Union, if the causes for which it went out are properly adjusted, or to assert its full and final independence if they are not. In the event last supposed (but which I will *not* suppose) the new government would not only be strengthened to at least double the number of its present array of States, but it would enter upon its career of absolute and unconditional independence with the sympathy and the prayers of good men, the world over. O! who can overestimate the worth of *that*.

Of such a government and people as that, Mr. President, I should have no fears. It would have been inaugurated in patient patriotism, for the redress of the wrongs of outraged humanity, and the God of justice and the God of battles would be with them as he was in the wilderness with our fathers. Timid as I always have been, and growing still more timid as I grow old and grey, even *I* would not be afraid to fight in such a cause as that—for it would be the last resort of the disequalized and the oppressed against what would *then* have been written down as *deliberate*, PERSISTENT *injustice!* But, gentlemen of the Convention, I *dare* neither fight myself, nor invoke others to a field of fraternal strife, upon such an issue as has been thus far presented to the country, or as I believe will be presented. I *dare* not, whilst relying that a majority of the people of the North will as readily redress all our substantial grievances as the forms of the Constitution and of legislation will permit them to do—I *dare* not fight them, nor encourage others to do so.

> "I dare do all that may become a MAN—
> Who dares do more is NONE."

The Chair. The question is on the adoption of the resolution.

Mr. Ritchey called the ayes and noes.

Mr. Orr. I desire the resolution read again.

The Secretary read the resolution.

The yeas and nays were then called, and the resolution adopted unanimously.

Mr. Linton offered the following resolution:

Resolved, That the thanks of this Convention are due to Judge Birch for his patriotic and immortal speech.

Mr. Birch. I hope, Mr. President, the gentleman will withdraw the resolution. It is not usual to offer such a resolution as that, and I fear it may constitute a precedent which will embarrass gentlemen in the future.

The Chair. I will decide that it is unusual to introduce such a resolution, and I will not entertain it without the consent of the house.

Mr. Sheeley moved that the Convention now adjourn.

Mr. Orr desired the gentleman to withdraw his motion for a moment, so as to enable him to offer a resolution.

Motion to adjourn withdrawn.

Mr. Orr offered the following, which was adopted:

Resolved, That it is the wish of this Convention, that the resolution rescinding the resolution to print, shall not affect the resolutions offered previous to its passage,

Mr. Sheeley renewed his motion to adjourn. Motion sustained, and Convention adjourned until to-morrow morning.

SEVENTH DAY.

ST. LOUIS, March 8th, 1861.

The Convention met at 10 o'clock.

President PRICE in the Chair.

Prayer was offered by the Chaplain.

Assistant-Secretary CAMPBELL read the journal, which was approved.

Mr. CALHOUN offered the following resolutions:

Resolved, That the differences existing between the Northern and Southern States can be better adjusted in the Union than out of it; and that it is only to be done by a spirit of mutual forbearance and concession.

Resolved, That whenever we exhaust all efforts to compromise the existing differences, and have given the people in Southern and Northern States time to reflect and act, and we see that on the part of the Free States and the extreme Southern States, that they do not love the Union sufficiently to make concessions to preserve it, then it will behoove us, with the Border States—that is, those States bordering on the Ohio and Mississippi rivers, with North Carolina—to meet in convention and determine what will be best for them to do in the premises.

Referred to the Committee on Federal Relations.

By Mr. HARBIN. *Resolved*, That this Convention earnestly desire an early settlement of the questions which have unhappily estranged the people of the different sections of the United States from each other, and we earnestly hope that measures may soon be inaugurated to allay the present excitement, and restore peace and harmony among the several States, and that, in the opinion of this Convention, any attempt on the part of the Executive of the United States to coerce by force of arms the seceding States again into the Union, will be both unwise and impolitic, tending to force the Border States to secession and all the States into civil war.

Mr. HARBIN. Would it be in order for the Convention to take action on that resolution?

The CHAIR. I think not under the resolution that was adopted.

Mr. HARBIN. Is the resolution debatable?

The CHAIR. Well, sir, the resolution adopted some days ago does not say that resolutions should be referred without debate. If gentlemen desire to debate, I will not undertake to cut it off.

Mr. HARBIN. I desire to say that that resolution is the sentiment of the people whom I have the honor to represent upon this floor. It contains my sentiments, sir, and one great object I have in offering it is to get the sense of the Convention upon those sentiments. I, sir, desire to represent my constituents upon this floor according to their will. I believe their sentiments upon these subjects are engrafted in that resolution, and the reason why I desire that this Convention should take action upon it, if it is in order, is that I believe that there is so much business now before the Committee on Federal Relations that probably the Committee will not be able to report in several days.

The CHAIR. The gentleman will effect his object by making a motion to dispense with the rules.

Mr. HARBIN. I make that motion.

Mr. HATCHER. I ask that the resolution be read.

The Secretary read it.

The CHAIR, to Mr. Harbin. Do you desire to debate further before the question is taken.

Mr. HARBIN. I desire to suspend the rules.

The question on suspending the rules was then put, and answered in the negative.

Resolution referred to the Committee on Federal Relations.

By Mr. TURNER:

Resolved, That we, the people of Missouri, are immovably attached to the Constitution of the United States, and that while we have a veneration for the patriotic names of Washington, Jefferson and Madison, we will ever uphold and defend that sacred instrument from the violence, treason and fanaticism of either Northern or Southern traitors.

Resolved, 2d. That we deny the existence of the right of secession in governmental affairs, believing that the existence of such a right would be destructive to the permanency of our national government, which we understand to have been intended to be *perpetual* by the framers of the Constitution.

Resolved, 3d. That while we deny the right of secession, we hold to the inalienable right of revolution whenever the government under which we live becomes so oppressive or tyrannical that the evils of revolution can better be borne and endured than the oppression complained of.

Resolved, 4. That in the opinion of this Convention, the General Government is the palladium of the liberties of the people of the United States, and as long as it continues to protect and defend the liberties and rights of the citizens of Missouri, so long will Missouri stand true and loyal to the Constitution and the Union, regardless of what other States may see proper to do in the premises.

Referred to the Committee on Federal Relations.

By Mr. CAYCE. *Resolved*, That the Committee on Publication be requested to have three hundred copies of the roll struck with the postoffice address of each member for the use of the members of the Convention.

Mr. Orr suggested that the resolution include counties.

The Chair. Does the gentleman make the motion to so amend?

Mr. Orr. I simply make the suggestion to the gentleman.

Mr. Dunn. I move that the number of five hundred be substituted for three hundred. Motion sustained.

Mr. Sheeley. I will suggest, if such a thing is to be done, that I would add an amendment to insert the profession or calling of each member in the Convention.

Mr. McDowell. I will ask the gentleman whether it would not be better to insert the State of their nativity, also, so as to show how many Black Republicans are here? [Laughter.]

Mr. Sheeley. I shall improve your suggestion, sir—I am writing out my amendment.

Mr. Sheeley thereupon offered his amendment, including the age, place of nativity, post-office address and profession of each member, and requesting the members to furnish the Secretary with the necessary information.

Mr. Crawford. I would move to amend the amendment by adding the political antecedents of each member. [Laughter.]

The Chair. The gentleman will submit his amendment in writing.

Mr. Turner. I have an amendment which I should like to offer.

The Chair. You are not in order.

Mr. Orr. I ask the Chair, if it is in order to offer a substitute?

The Chair. No, sir.

The question being taken on the adoption of the amendment to the amendment, it was rejected.

The question recurring on the adoption of the amendment, it was adopted.

The resolution, as amended, was then adopted.

By Mr. Howell:

Resolved, That the Committee on Printing be authorized to contract for the printing and binding of blank copies of the debates in and proceedings of this Convention.

Mr. Howell. I will remark, Mr. President. that we have provided for the reporting of the debates and proceedings of this Convention, but there has been no provision whatever for the publication of these reports, and before the Committee act on the subject I think they should have authority given them by the Convention. I suppose it is the sense of the Convention, that the debates should be published in some permanent way, together with the proceedings of the Convention, and in order to ascertain the sense of the Convention on that subject, and authorize the Committee to take action, I present this resolution. I will remark further, that if the debates are to be published, it is highly proper for the purpose of economy, that we should know it at an early period. The debates are published in a city paper, and they can be printed for permanent use much cheaper each morning, as I am informed by the printer, the types being up, than at a future period, or after the adjournment of the Convention.

The Chair. What number does the gentleman propose to fill the blank with?

Mr. Howell. I have no definite number in my mind. I will suggest 5,000 copies.

Mr. Sheeley. Mr. President, I do not know that we possess the authority of publishing the debates of this Convention, but if I recollect the law calling this Convention aright, there was no provision made whatever for this purpose. There is no provision authorizing this Convention to have even reporters employed for the purpose of preserving the debates. If my recollection serves me right, the Convention which sat in Jefferson City in 1845 did employ reporters. They did not undertake to have the debates published, but left it for future legislation on the part of the Legislature. I do not think these debates have ever been published yet. I may be wrong in my recollection, but such it is at present. Then, sir, I am opposed to this Convention undertaking to spend the money of the State, unless we have the authority of the Legislature to take it out of the treasury at once. We have no authority to bind the State of Missouri to these reporters, nor have we any authority to bind the State to a publisher of these debates, and if we do, the Legislature may repudiate our action. We cannot spend money under the Constitution, and the only chance we have for getting at the State's money independent of the Legislature, is to revolutionize the State and adopt a new Constitution. I therefore move to lay the resolution on the table. It is suggested to me around here, that the printing proposed will cost at least $10,000.

Mr. Howell. Mr. President—

The Chair. The gentleman is not in order. A motion to table is before the House.

Mr. Howell. I only wish to correct the gentleman in regard to a portion of his argument. I remarked that I offered the resolution in order to test the sense of the Convention at this early period, as it would be a matter of economy that the proceedings should be printed now, if printed at all. [Here the hammer fell.]

The Chair. The question will be on laying the resolution on the table. Motion to table sustained.

By Mr. Bush:

Resolved, That the history of all nations, from ancient to modern times, has proven that the dismemberment of one nation into several governments or confederacies, has resulted in anarchy, despotism and ruin; and that, as "In union there is strength," so in disunion there is destruction.

Referred to the Committee on Federal Relations.

By Mr. Ray:

Resolved, That the Committee on Printing be requested to inquire into the propriety of having —— number of copies of the debates published in pamphlet form, and report the same to the Convention for further action.

Mr. Ray. I presume the resolution sufficiently explains itself. It simply authorizes a Committee to inquire into the propriety of having the debates published.

The resolution was adopted.

By Mr. Leeper:

Resolved, By the people of Missouri, in Convention assembled: Whereas, great disquietude exists in this Government, in the Gulf States in the South, by the aggressions of the extreme Northern States, therefore

Resolved, That this Convention condemns the aggressive policy of the North, and the hasty and precipitate action of the Southern or seceding States.

Resolved, That the course pursued by South Carolina and the other seceding States, is no reason that Missouri should follow their example.

Resolved, That it is the duty of Missouri and the other Border States to take a firm position for the maintenance of the Union, the preservation of our Constitution, and the honor of our flag, and, if necessary, to form a Central Republic of the Border States, both North and South, adopting the Constitution as our supreme law, the stars and stripes as our ensign, and invite our wandering sister States to assume their original places in the family of States forming this great Confederacy.

Resolved, That this Convention is opposed to the present executive attempting to coerce or force the seceding States back into the Union, and that this Convention is equally opposed to South Carolina attacking, or inaugurating a war, for the purpose of capturing any fort, fortification or other public property belonging to the United States.

Resolved, That the people wish all the national difficulties settled, by some just and honorable compromise, and would for this purpose recommend those resolutions known as the Crittenden resolutions, or any other plan that would do justice both to the North and the South.

Referred to Committee on Federal Relations.

By Mr. Long:

Resolved, That the Inaugural Address of President Lincoln is one of peace, and not of war.

Mr. Howell. I move to lay the resolution on the table.

Mr. Moss. Is that motion debatable?

The Chair. No sir, it is not.

Mr. Moss. Then I wish the gentleman to withdraw the motion for a moment.

Mr. Howell. I will do so as a matter of courtesy.

Mr. Moss. I arose yesterday in my seat, sir, and advocated the proposition to submit the President's message to this House for discussion, and I did so, sir, from the best motives. I did so, sir, knowing the effect that this document would have upon the people of Missouri, in the hands of designing men, whose hearts are bent upon breaking up this Confederacy. Sir, I hail from a county in which Lincoln did not get a single vote, and, sir, when the secessionists raised their flag in that county, and went to the ballot box they did not get two hundred votes in the county. My constituents, sir, are Union men—devoted to the Union—and they lean to no sectional party. They are men that dare, in this hour of trial, to stand between the two sections and demand peace. And, sir, I tell the friends of Union in this Assembly, that if that message, in the hands of sharp and designing politicians, is permitted to be used as a lever to force the war question in Missouri, the friends of the Union will melt away like snow-flakes. I now tell you, Union men, if you desire to hold your forces together, you must give encouragement to your friends in the country. They are looking to you for counsel. They have sent men to this Convention in whom they have faith, and I tell you the construction put upon that message will have a telling influence upon the fate of this Union, and decidedly upon the fate of Missouri, and I hope that the Union men in this Convention—men of age and experience—men who have got a reputation in Missouri—men whose voices will be heard and counsel relied upon—will come to the rescue this day, and send out to the people of Missouri a proper interpretation of this message. I am one of those, gentlemen of the Convention, who believe that the message looks to peace. I am a Southern man in every sense of the word. Every impulse of my heart beats in unison to the interest and cause of the South, and I desire to protect Southern institutions, and in doing so, to preserve this Union as the greatest guarantee of protection for those institutions. I desire the friends of the cause I advocate, to come forward to-day, and let the people of Missouri understand what this Convention thinks of that message. I believe, sir, that any man of common sense can demonstrate that Lincoln is inclined for peace, and that position can be sustained by reference to his message; and now, without further discussion, I hope that you will pass this resolution, for, I tell you, friends of the Union, that upon what is done here to-day will depend greatly the fate of Missouri. This, as I remarked before, will be a prominent lever in the hands of the enemies of the Union, and I warn you to head off their operations by sending out to the people a proper interpretation of this message. [Slight applause.]

Mr. HENDRICKS. I believe I shall express the sense of my constituents if I vote for that resolution.

Mr. CRAWFORD. I move to lay it on the table.

Mr. ——. I call for the ayes and noes.

EXPLANATION OF VOTES.

Mr. BOGY. I wish before voting on this proposition to explain my vote. I do not wish to be understood by my vote as expressing an opinion in regard to the resolution. I shall vote to lay the resolution on the table because I look upon it as being rather a firebrand than otherwise.

Mr. COMINGO. I wish to state my reasons in favor of laying the resolution on the table, and I would be willing to discuss this matter this morning if I thought by so doing we could give quiet to the country, but I believe the construction we might put upon it would throw no light upon the subject, and I think we have no more power or ability to construe that instrument than our constituents have who sent us here. I presume they have their opinions in regard to it. I presume our opinions would give but little assurance to the people in regard to the character of that message. Then, sir, we have no more right than our constituents have to interpret this message. We may have more light upon the subject by the President's own acts in a few days. The President may unmistakably interpret the meaning of this Inaugural message. Although we may have the power to interpret it, yet I trust if we have the power that the Convention will—

The CHAIR. The gentleman must merely give a brief statement as to the reason why he casts his vote.

Mr. COMINGO. Well, sir, I vote aye.

Mr. CRAWFORD. I made the motion to lay this resolution on the table, not because I have any fear of expressing my opinions in regard to the message of President LINCOLN, but because I thought this Convention had better meet here, and continue to meet in the same spirit of conciliation and compromise, in which we have heretofore met; because I thought that if that message was debated here this morning, and before we proceeded to consider the report of the Committee on Federal Relations that we might feel towards each other, not so much like Union men as we now feel. I wish to state emphatically that I am not in favor of any gag law, and I did not offer this proposition for that purpose, but because I believed that by bringing up this subject we should bring up dissension and destroy compromise.

Mr. FOSTER. Perhaps I should say a word in explanation of my vote. I find, sir, there is a disposition on the part of certain gentlemen on this floor to enter into an investigation of that message, and, sir, as they have manifested a disposition to consult on the subject, I am not disposed, sir, as an humble representative of this body to shrink from a responsibility of any character whatever. I am alone responsible to my constituents for my action in this body, together with my colleagues, who represent more sovereign people than any other three gentlemen on this floor. I shall therefore vote against laying the resolution on the table.

Mr. GANTT. I wish briefly to state the reasons why I shall vote against laying this resolution on the table. It has been said that the message is not definite, and many are doubtful as to its meaning. In what better way can we arrive at the true construction of that message than by comparing our views each with the other and discussing the different interpretations that may be put upon it. In the hope that an opportunity may be offered to do that, and that the discussion may be carried on in a fair, candid and fraternal spirit, and that the message may be considered in all its parts, that we may look to the whole for the purpose of ascertaining the meaning of each sentence, so that we may arrive at the best construction, and upon the most sure basis come to a conclusion as to what is the meaning of the man who now sits as Chief Executive in his seat at Washington, I shall vote against stifling debate and laying the resolution on the table.

Mr. GRAVELLY. I desire to remark, that in voting upon this question, on laying it on the table, that in voting in the affirmative, I do not desire to be understood as declaring the Inaugural address is significant of war, but in order that this Convention may proceed with the business which I think now directly requires its action. I shall vote aye.

Mr. HATCHER. Believing that there is much truth in the statement made by a gentleman on this floor yesterday, that there are about as many opinions in regard to the Inaugural Address as there are delegates to this Convention, and believing that this Convention cannot easily construe its real meaning, I think it is best to let the President's actions construe the President's words. And as "actions speak louder than words," I propose to wait until action on the part of the President will speak the meaning of those words. I therefore vote aye.

Mr. IRWIN. I shall vote for laying the resolution upon the table, sir, and I shall do it for the same reason which I gave yesterday—against going into a Committee of the Whole upon the Inaugural Address. I believe, sir, a discussion on this Inaugural Address will lead to a purely political discussion, and that there will be an unbecoming exhibition of party feeling and party ~~spirit;~~ I take occasion to remark, sir, that however much I may indorse the sentiments of that resolution, yet for the reasons I have given I shall vote aye.

Mr. Linton: Regarding the Inaugural as I do, as a message of peace, I shall vote no.

Mr. Marmaduke: In voting in the affirmative on this question, sir, I do not wish to be understood that it is offered for the object of shuffling off the responsibility of the resolution on the one hand, or obviating it on the other. I have frequently expressed my opinion upon the Inaugural. I regard it as a peace message; but whether it is for peace or war, I think the discussion now will have an unhappy tendency and an unhappy result on the action of the Convention, and as I think the resolution is premature, I shall therefore vote aye.

Mr. Norton: In voting against laying the resolution on the table, I do so for the purpose of showing my feelings in favor of assuming the responsibility of expressing my views in regard to the construction to be placed on that address. I shall vote no.

Mr. Orr. It is stated here that the bringing up of this discussion will necessarily awaken party feeling. I hope this is not so. We shall certainly have to meet this issue before we leave here, and I know no better time to meet it than the present. I vote against laying the resolution on the table, because I believe the message to be a peace measure, and because I believe that the people should know what we think about it. It has been stated that the people are as competent to form their conclusions as we are, but we are sent here to take into consideration our Federal relations, and for this reason, I vote no.

Mr Phillips. I will just state that I do not regard the message as being a war message; yet, sir, believing, as I do, that ample opportunity will be afforded before the Convention adjourns, for members to discuss this message in all its details, and thinking that no harm can result from waiting until the proper time arrives to discuss it, I shall vote aye.

Mr. Ray. Understanding that a refusal to lay the resolution on the table will leave the question open for discussion, I vote no.

Mr. Redd. I view this message as a declararation of war against the institutions of the South. In my judgment, it involves the doctrines of George III, and declares war in the same way he declared war against the colonies. He avowed the purpose to execute the law within the limits, and the same kind of a law, the law for the collecting of taxes.

The Chair. I will remark to the gentleman that he cannot enter into a discussion of the merits of the resolution. He can only give, in a brief manner, his reasons why he votes for or against laying the resolution on the table.

Mr. Redd. I was not about to enter into any argument to show my views are correct. That was not my purpose. I was merely stating my belief as to whether this was a war or a peace measure.

The Chair. That, the gentleman has not the right to do; he has the right to give his reasons why he will vote for or against it, but he must not enter into a discussion on the merits of the subject.

Mr. Redd. I submit to the ruling of the Chair, but I followed only the example of a gentleman who preceded me on that subject.

The Chair. The gentlemen did not take as much latitude as the gentleman now on the floor, but he was stopped by the Chair.

Mr. Redd. I will say then that I will vote aye, and that I do not believe Missouri is prepared to take up the gauntlet.

Mr. Ritchey. Believing as I do that the people we have the honor to represent here, in part, have the ability and the right to interpret that message for themselves, and believing it to be my duty, sir, to try and transact business here that they have not the power to do, I feel then, sir, it is my duty as one of their delegates to vote aye.

Mr. Rowland. I wish to give my reasons why I shall cast my vote against laying the resolution on the table. I believe, sir, that if the proposition is laid on the table, the impression will go to the country that this Convention has decided that Mr. Lincoln's Inaugural Address is a war measure. I consider that this is a test question, and that it will have that effect upon the people of the country, if we vote to lay the proposition on the table—or to make them infer that we have most assuredly decided that Lincoln is to make war upon them. I agree with the gentleman from Clay—I believe this message is a peace measure, and I do not wish my constituents to hear that I have voted against it.

Mr. Shackelford of Howell: When I voted yesterday and the day before, against committing this thing to a Committee of the Whole, I did it believing we were forestalling or endeavoring to forestall public opinion in advance of the report of the Committee on Federal Relations. Believing so, I voted against considering it, and I am unwilling now to consider it, inasmuch as I think the vote amounts to nothing, and because I believe my constituents can construe it for themselves just as well as I can. I believe it will forestall the action of the committee, and as there will be opportunity offered every member of this house to make speeches upon questions which that committee will elaborate, after that committee has reported, and as I am unwilling to be placed in the inconsistent position of doing one thing one day and backing down the next, I therefore vote aye.

Mr. Turner. Without giving any explanation of my opinions as to the message of Mr. Lincoln, I propose to give a few reasons why I shall vote no. I say the people of Missouri are looking upon this Convention, and awaiting with breathless anxiety the action of this body. This Convention may be for the weal or woe of the whole nation, and I think, sir, that we are sitting here and doing nothing but favoring the weak knees and tender toes of the disunionists of the Legislature, and the disunionists of Missouri, who are working in every possible way to make the people of Missouri believe that Mr. Lincoln has made a declaration of war upon the States that have seceded. I think we should face the music, and give the people of Missouri an expression of our views as to whether Mr. Lincoln has made a war or peace message. I shall, therefore, vote no.

Mr. Woolfolk. It seems, sir, that there are different views in regard to the Inaugural. Some regard it as a peace measure, and some as a war measure. Reports from the seceding States show that they regard it as a declaration of war. I, myself, individually, regard it as a peace measure. I do not wish the Convention to hastily indorse the Inaugural, and, in my opinion we had best take no action at all in regard to it until we are satisfied as to its real character. If it is a peace measure, I indorse it. If a war measure I shall oppose it, but I do not desire this Convention to indicate to the seceding States that we intend to indorse anything that they consider indicates coercion or a declaration of war. For these reasons I do not desire an expression of opinion as to the Inaugural, and I shall vote aye.

Mr. Doniphan. I will state while the Clerk is casting up the vote that I have been requested by the Chairman of the Committee on Federal Relations to inform the House that we have got through with our business, and that Judge Gamble will present a report to-morrow, at 11 o'clock, and therefore it is unnecessary to offer any resolutions to be referred to that Committee.

The vote was then announced as follows:

Ayes—Messrs. Allen, Bartlett, Bass, Bast, Bogy, Brown, Calhoun, Cayce, Chenault, Collier, Comingo, Crawford, Doniphan, Donnell, Drake, Dunn, Frayser, Flood, Givens, Gorin, Gravelly, Harbin, Hatcher, Hill, Holt, Hough, Howell, Hudgins, Irwin, Jamison, Marmaduke, McCormack, McDowell, Noell, Phillips, Pomeroy, Rankin, Redd, Ritchey, Sawyer, Sayer, Shackelford of Howard, Shackelford of St. Louis, Sheeley, Waller, Watkins, Wilson, Woolfolk, Vanbuskirk, Zimmerman, Mr. President—52.

Noes—Messrs. Breckinridge, Broadhead, Bridge, Bush, Eitzen, Foster, Gantt, Henderson, Hendricks, Hitchcock, Holmes, How, Isbell, Jackson, Johnson, Kidd, Leeper, Linton, Long, Marvin, Maupin, McClurg, McFerran, Meyer, Morrow, Moss, Norton, Orr, Ray, Rowland, Scott, Smith of Linn, Smith of St. Louis, Turner, Welch, Woodson, Wright—37.

And the resolution was laid on the table.

Mr. Turner. Mr. President—Some days ago I offered a resolution to appoint a committee to whom all proposed amendments to the Constitution should be referred. It was laid on the table. If it is in order I move to take it up now.

Mr. Welch. I had the honor, sir, in the early part of this session, to offer to the Convention a proposed amendment to the Constitution of this State in regard to special legislation. That amendment, by a vote of the Convention, was laid upon the table. The proposition which is now before the Convention, viz., to take up the resolution which has been referred to by the gentleman, I hope will meet with the approbation of the Convention. There are a number of gentlemen, sir, in this Convention, who believe that this Convention has the power, and that *it is their duty*, to make certain alterations in the fundamental law of this State, and there are other gentlemen who believe that this Convention either has not the power or should not assume the power of making an amendment to that Constitution. I am desirous that this committee shall be appointed by the President, that they may, whenever a proposition is referred to them, report back to the Convention whether or not, in their judgment, the Convention either has the power to amend the Constitution, or whether it is right and prudent that they should do so. In my judgment there are several amendments that are necessary to the Constitution of this State, which I believe the people and the times demand, and I am exceedingly anxious, sir, that the committee shall be appointed and this proposition be referred to them, in order that we may ascertain the sense of the Convention as to whether they will entertain any such proposition at all or not. Now, those gentlemen upon this floor who have the honor, like myself, to hold seats in the Legislature, know, and your honor, from your recollection of the time when you filled the executive chair, well knows the utter abuse to which the Legislature of this State carries this system of special legislation. Your honor well knows that our statute books, for the last ten years, are filled with acts declaring boys of age—declaring county roads State roads—changing county roads, changing State roads, abolishing State roads, &c. They are also full of special acts authorizing the sale of real estate belonging to minors, or persons not capable of managing their own affairs. Now, sir, I having had some experience in the Legislature, know the evil and the abuses to which this system of special legislation is carried. I know, sir, that in different sections of this State, where there are controversies—for instance, in a particular neighborhood where controversy exists, as to which is the proper route for a State road to run—

instead of making their application to the County Court, where both sides can be heard and full justice be done to both parties, one party sneaks off to the Legislature, unknown to the other party, and the first thing the community knows is that a bill has been passed changing or establishing a State road in direct opposition to perhaps a majority of the people of the neighborhood through which the road will run. So it is in regard to those bills and acts of the Legislature authorizing or directing the sale of real estate belonging to little children. Why, sir, in the last Legislature there was an act introduced authorizing the sale of thirty-five hundred acres of land in my county, situated upon the line of the Pacific Railroad. I took it upon myself, in obedience to what I believed to be my duty, to aid in defeating that bill in the House when it came from the Senate, and I have received the hearty approbation of my constituents for that act. Sir, I believe this system of special legislation meets with universal condemnation all over the State. I am anxious that this Convention shall take that question up. It is useless to look to a reform from the Legislature itself. You might as well try to accomplish an impossible feat as to ask the Legislature of the State to remedy this great and growing evil. Why, sir, if you offer an amendment of this character in the Legislature, almost every member on the floor has a railroad bill in his pocket, or a bill authorizing the sale of real estate by a minor, or a bill declaring some little boy of age, and every man on the floor almost is interested in the defeat of such an amendment. They are interested. Their constituents have requested them to introduce these measures for their relief and satisfaction, and every member having a bill of that kind, or perhaps a drawer-full, finds himself in this condition. He must either oppose the proposition to amend the Constitution so as to destroy that system of legislation or else he violates the will of some few of his constituents.

Now, sir, this body comes here fresh from the people of the State. Every man on this floor, nearly—I may presume that *every* man upon this floor has had enough experience to know that this system of special legislation is an outrage upon the rights of the people of the State. Instead, sir, as I have already remarked, of having these roads changed by the order of the County Court at their own expense, they go to the City of Jefferson and consume the time of the two Houses—which are convened at an expense of more than $1,000 per day—they require our clerks to enroll their bills, and our public printer to print them and our binder to bind them, and it all comes out of the State Treasury, when, sir, it is a matter of private interest to them, and they alone should pay for it. Sir, this is a matter of some importance to the people of the State. I was not pleased when the Convention so summarily disposed of the amendment to the Constitution which I had the honor to offer a few days ago; but of course I am willing to be guided by the will of the body of which I may be a member. I hope, however, that this Convention will authorize the appointment of that Committee. I hope the Committee will be composed of eminent legal gentlemen on this floor, (and there are many of them,) and let them decide, *first*, whether this Convention has the right, under the Bill of Rights and the Constitution of Missouri, to alter and abolish the Constitution itself; and, *secondly*, whether it would be wise and prudent to exercise it. For my own part, I do not for one moment doubt but what this Convention is fully empowered, under our Bill of Rights, not only to alter but abolish the fundamental law of the State, *provided*, that any instrument that they may substitute instead shall be republican in form.

Mr. SMITH, of St. Louis. I rise to a point of order. A motion to take up a resolution from the table is not debatable. I submit that point. Any member, as I understand the rules, may object to taking it up, and then the sense of the Convention should be taken.

The CHAIR. I will remark that I have allowed more latitude to the gentleman than would be strictly proper, for the reason that there seemed to be nothing else before the Convention.

Mr. GANTT. I desire the resolution read.

The Secretary read the resolution.

Mr. GANTT. I have an amendment which I desire to offer.

The CHAIR. The gentleman is not in order, as the resolution is not yet before the house.

Mr. TURNER. It is perhaps proper that I make a remark here——

The CHAIR. A point of order has been raised. All debate is out of order.

Mr. TURNER. I rise to a privileged question. I understand it has been said that I proposed to interfere with the functions of the officers of the State of Missouri—that I am in favor of ousting them out of their office. I have this to remark in regard to that statement, that such was not my intention.

The CHAIR. I have heard no such accusation.

Mr. TURNER. It was made outside of this body.

The CHAIR. Then you cannot reply to it here. The question is on taking up the resolution.

The resolution was then taken up by ayes 46 to noes 26.

Mr. GANTT. I think that a preliminary inquiry will be proper. Entirely agreeing with the sentiments of the gentleman who preceded me, (Mr. Welch,) I offer the following resolution as a substitute for that which is now pending:

Resolved, That a committee of seven be appointed by the chair with instructions to report to the Convention respecting the powers of this body to effect a reform of the Constitution of the State of Missouri.

If this substitute is accepted by the gentleman offering the first resolution, I have nothing more to say.

Mr. Turner. I suppose there can be no doubt as to the *power* of the Convention to amend the Constitution. I do not think there is any such doubt, still I have no objection to the substitute.

Mr. Welch. It occurs to me that the original resolution is preferable to the substitute which has been offered by the gentleman from St. Louis. If the substitute is adopted, the committee, after having given us their legal opinion, will have nothing further to do—but if the original resolution shall be adopted and the proposed amendments are referred to the committee, they can recommend such of them as they may deem proper; and besides, sir, I can ask the Convention to again consider my proposition, which was rejected a few days ago. I hold that the original resolution comprehends both the question of power and the question of propriety, whereas the substitute only comprehends the question of power.

Mr. Gantt. Will the gentleman give way for a moment?

Mr. Welch. Certainly.

Mr. Gantt. I see the course of his remarks, and will withdraw my substitute.

The Chair. The question is on the adoption of the original resolution.

Mr. Comingo. I call for the ayes and noes.

Mr. Dunn. If it is in order, I will make a single remark. My own opinion is that this Convention has unquestionably the power to amend our State Constitution. On that subject, however, some very able gentlemen in this body differ with me. While I accord this power to the Convention, I must say that I deem it wholly inexpedient to amend the Constitution, for the simple reason that we have been elected for the specific purpose of taking into consideration the relations of the State of Missouri to the Federal Government and the sister States of the Union. We have been elected with reference to that subject solely and exclusively. If I wish to sell forty acres of land in the county in which I live, and for that purpose send a general power of attorney to a friend in Richmond, authorizing him to sell the land belonging to me in that county, and with that power should write him a letter instructing him to sell these specific forty acres, nobody would doubt his legal power to sell *every acre* of my land, and yet I would think his conduct very strange if he went beyond my explicit instructions. I would think it very strange if, on returning to my wife and children, I should find that that friend had sold my house and little farm, and turned them adrift on the world. I would state, furthermore, that I agree with the gentleman from Johnson, that our Constitution ought to be amended, and amended in the very particular specified by him. This special legislation is growing to be an enormous evil, and there ought to be an amendment to the Constitution which would have the effect of checking it. But it is entirely within the power of the Legislature to check it. The Legislature can stop this special legislation *without* an amendment to the Constitution. Now, if the Legislature were compelled to go forward with this special legislation unless we *did* amend the Constitution, then I might perhaps be induced to enter upon the work, and introduce suitable amendments. But it is perfectly competent for the Legislature, as the Constitution now stands—and I presume the member from Johnson will agree with me in this—to eschew special legislation. They can do so to-day, they can do so any time, so that there is in fact no overwhelming necessity for entering upon this subject by this Convention. Inasmuch, therefore, as we have been elected with special reference to the relations existing between our State and the Federal Government and sister States, and with no reference whatever to any amendments to our State Constitution—although I believe we have the power to amend our State Constitution in any particular—still I deem it inexpedient to enter upon that subject at all. I presume that in condemning special legislation the Convention would be unanimous, but if we undertake to entertain one amendment, there is no teling where we may end. Some other gentleman may point out some other amendment which the exigency of the times may require, and another, another, and so on. Entertaining these views, I am opposed to taking up the subject, and shall vote *no* to the resolution.

A vote was then taken, and the resolution rejected by the following vote:

Yeas—Messrs. Bass, Bast, Bogy, Breckinridge, Broadhead, Bridge, Bush, Calhoun, Eitzen, Frayser, Gantt, Gravelly, Henderson, Hendricks, Hitchcock, Holmes, How, Howell, Hudgins, Isbell, Jackson, Johnson, Kidd, Leeper, Marvin, Maupin, McClurg, Meyer, Morrow, Orr, Rankin, Scott, Smith of Linn, Smith of St. Louis, Turner, Welch, Wilson, Wright, Zimmerman.

Nays—Messrs. Allen, Bartlett, Brown, Cayce, Chenault, Collier, Comingo, Crawford, Doniphan, Donnell, Douglass, Drake, Dunn, Flood, Foster, Givens, Gorin, Harbin, Hatcher, Hill, Holt, Irwin, Jamison, Linton, Long, Marmaduke, Matson, McCormack, McDowell, McFerran, Moss, Noell, Norton, Phillips, Pomeroy, Ray, Redd, Ritchey, Ross, Rowland, Sawyer, Sayer, Shackelford of Howard, Shackelford of St. Louis, Sheeley, Waller, Woodson, Woolfolk, Vanbuskirk, Mr. President.

Absent—Messrs. Birch, Gamble, Hall of Buchanan, Hall of Randolph, Hough, Knott, Pipkin, Stewart, Tindall, Watkins.

On motion, the Convention adjourned until to-morrow morning, at 10 o'clock.

EIGHTH DAY.

St. Louis, March 9th, 1861.

Met at 10 a. m.

Mr. President Price in the Chair.

Prayer by the Chaplain.

Journal read and approved.

Mr. Woolfolk, from the Committee on Printing, made the following report:

The Committee on Printing respectfully report that they have made diligent inquiries in relation to the printing to be required by the Convention, and find it difficult to specify the precise kind of work necessary, and it is almost impossible to give a schedule of prices.

The Committee have therefore made arrangements with Geo. Knapp & Co., who agree to execute the printing for the Convention on the same basis as that adopted in the Revised Statutes of Missouri, and applicable to Public Printer.

All printing in book form to be done on good, strong paper, in such type as may be directed by the Committee or officer having superintendence thereof. All documents and other jobwork with such type and paper as may be directed by the proper officers. The printing to be done promptly, in a neat and workmanlike manner.

Price for blank forms, sixty-two and a half cents for the first eight quires, each, and for every additional quire, fifty cents.

For public documents, the price to be fifty cents per thousand ems for the first hundred copies, and ten cents per thousand ems for each additional hundred copies.

For book work, the price to be forty cents per thousand ems for the first hundred copies, and five cents per thousand ems each additional hundred copies.

For pressing sheets, folding and stitching, and covering with strong paper cover, not over five cents per volume for less than thirty-two pages. For each volume, substantially half bound, leather corners and backs and lettered, thirty cents.

That the Secretary of the Convention be instructed to have the printing done by George Knapp & Co., on terms as above.

Resolved, That the Secretary be instructed to have printed five thousand copies of the debates in pamphlet form, for the use of the members of the Convention.

HENDRICKS,
WOOLFOLK, } Committee on Printing.
HOWELL,

Mr. Woolfolk. I will remark that it was impossible for us to ascertain, definitely, what kind or quality of printing the Convention will require. We were necessarily then compelled to agree simply on some standard, and we have adopted the standard of the State Printer. We regard that standard, when applied to this Convention, as cheaper than the standard of the Printer, because the printing required to be done by the Convention will necessarily be considerably smaller than than that required by the State. We would further state, that we have engrafted on those resolutions, a proposition to print 5000 copies simply from the fact that it is important for the Convention to determine now, if it intends to determine at all, whether it will have any copies printed. The type is up, and if it is taken down, of course it will cost the Convention much more than it does now—perhaps double the amount. In answer to the resolution passed yesterday, instructing the Committee on Printing to inquire into the cost of printing the proceedings, I will state this, that the cost of printing one thousand copies, provided one hundred pages be filled, would be $200; of two thousand copies, $280; of three thousand, $360; of four thousand, $440; of five thousand, $500. Going upon the supposition that it will fill one hundred pages, it will only cost $500 for printing five thousand copies. I will add that the cost of printing, hitherto, has been more than $5 per day, making in all about $50.

The Chair. The question is on the adoption of this report.

Mr. Sheeley. What will be the effect of that adoption. If we adopt the report will the debates necessarily be printed?

The Chair. I understand it so.

Mr. Sheeley. Notwithstanding the vote of yesterday?

The Chair. The vote of yesterday was on the adoption of the resolution which was adopted, requiring the committee to ascertain upon what terms the reports could be printed in pamphlet form.

Mr. Sheeley. This report now authorizes the reports to be printed in pamphlet form for so much?

The Chair. It is a resolution recommending that the Secretary have the printing done.

Mr. Sheeley. Well, sir, I am opposed to the printing of the debates, and I don't know exactly how to proceed—whether to lay it on the table or to make some other motion.

The Chair. The report is subject to amendment.

Mr. Sheeley. Well, I trust this Convention will abide by the action of yesterday, and that so much of the report as relates to the printing of the debates will not be adopted.

The **Chair.** You move, then, to strike out that much of the report?

Mr. **Sheeley.** I do; I believe it is the second resolution that I desire to be struck out, and I desire it for the reason given yesterday, to-wit: That this Convention has no power over the Treasury of the State. We have no control over it and have no authority to pay one cent for the debates of this Convention. We can preserve them under the contract already made with reporters, and if they are of sufficient importance, the Legislature will hereafter, in all probability, have them published. As it is, they are subject to be deposited in the office of Secretary of State. But if we go on now and authorize the debates to be published, according to my understanding of the law, it will be done without any right whatever to pay the publisher one cent. We have no fund appropriated for that purpose, and, as I understand our authority, although we are the people of Missouri, yet if we use the money of the treasury, it must be appropriated according to the rules prescribed by the constitutional law. I trust, therefore, that the second resolution will be stricken out. Motion sustained—ayes 34, noes 26.

The report as amended was then adopted.

By Mr. **Irwin**:

Whereas, A resolution was introduced into this Convention on yesterday, declaring that the inaugural of President Lincoln is one of peace and not one of war, which resolution was, on motion, laid on the table, and

Whereas, It has been reported that the action of the Convention may be viewed in the light of a test vote; therefore,

Resolved, That the action of the Convention in laying said resolution on the table, cannot, with the least propriety or show of truth, be considered as any test whatever of the sense of this Convention relative to the sentiments enunciated in said resolution.

Adopted without debate and with but one dissenting voice.

The **Chair.** I understand that there are several members who have not yet sent up their names and post-office addresses, &c., under the resolution adopted yesterday. As there seems to be nothing else before the Convention now, I would request them to come forward and hand a statement to the Secretary.

Several members then came forward and gave in their Postoffice addresses.

By Mr. **Dunn**: *Resolved*, That the Committee on Printing shall contract for printing five thousand copies of the proceedings and debates of this Convention, in pamphlet form, and one thousand copies to be bound as soon as the General Assembly shall make an appropriation to pay for the same.

Mr. **Dunn.** It might be inferred by those who misunderstood the motives that influenced the action of the Convention and members on this floor, on the subject of printing the proceedings and debates of this Convention,—it might be erroneously inferred that this Convention was indisposed to let the people of the State and the United States know what we were doing, and the reasons for our action. But for the enterprise of the city papers, the country would know nothing at all, even, of our debates, and but little of our proceedings. We are indebted to the city papers for the means of communicating to the people of the State the proceedings of this Convention, and to the people of our sister States; and I do think it is due to ourselves, and due to those who have sent us here, that we should send out our proceedings to the people of this State, and of our sister States, in an authentic form. At all events, we should, at least, show that we are willing to do so; and the only obstacle in the way of doing so is the apprehension existing on the part of some of the members of this Convention that we have not the power to make an appropriation from the Treasury, for the purpose of defraying expenses. Let us take the position indicated by this resolution, that we are ready and desirous that our proceedings and debates shall be published, and should go before our people and the people of our sister States, and then it remains with the General Assembly to determine whether they will make any appropriation necessary to defray the expenses. I agree with my friend from Jackson that this Convention will not have the power to appropriate money out of the Treasury, and I acknowledge the force of his objection. But I doubt not my friend from Jackson will agree with me that it will be well to sustain this resolution which I have offered, and thereby place the responsibility of the publication where it properly belongs, viz.: the General Assembly. Surely, they will not wait a solitary moment in making the necessary appropriation. Trusting, therefore, that they will make this appropriation, I hope the resolution which I have offered will be unanimously adopted by the Convention. It steers clear of all objections which have been urged against preceding resolutions, and places the Convention where it ought to be placed—in the attitude of being perfectly willing to submit our debates to the scrutiny of the people of our State and of our sister States. It is due to us that this should be done, and I offer this resolution in the hope that it will receive the unanimous concurrence of the Convention.

Mr. **Orr.** I desire to say that I believe the debates ought to be published. I have, however, voted against the adoption of the report of the Committee for a different reason than that stated by the gentleman from Jackson. I understand the law calling this Convention, makes a provision that all members and necessary officers shall have the same pay as those of the Legislature. I understand that a Public Printer is an officer of the Legislature, and therefore, I understand that by the law we have the power already vested in us to pay for the printing. I voted against the resolution because I thought that the law of Missouri paid the Public Printer about one hundred per cent. more than he ought to have, and that the printing could be had on better terms than is now the case in accordance with the laws of Missouri. So far as making any provision by the Legislature, or their appropriating money for this Convention is concerned, I presume we can have our printing done without asking the Legislature anything about it. I want it done on an economical principle. I see from the statistics in the newspapers, (and I suppose they are correct,) that the public printing costs the State of Missouri $90,000 per year, while in New York it is only $30,000. I am, therefore, satisfied that we are paying too much for our public printing, and I want the matter so arranged as to have the printing done at the lowest rate that will pay a man to do it.

Mr. Dunn: I have only one additional word of explanation. The resolution contemplates no such thing as having this printing done by the Public Printer, but it authorizes the committee to contract for that printing. Of course, in contracting, for it they will be free to make a contract with any publishing establishment in the State, and are not confined to the Public Printer. One word of explanation in regard to myself. I want no member of this Convention to suppose that I am influenced to offer this resolution in any expectation that I shall participate largely in the debates. Thus far I have said but little, and I will remark that I expect to say but little during the remainder of the session. My position is, in one particular, and has been for the last twelve years or more, similar to the position occupied by some of the fair ladies who have, during the sessions of our Convention, honored us with their presence. I refer to the belles of the city, and I hope they will pardon, and the Convention will pardon me for saying that in one particular I will occupy their position, and have occupied it for the last twelve years. The announcement of this fact may seem a little strange, but when I state the point of resemblance between us—if I may so speak—it will no longer seem strange. For the past twelve years, as my friends know, I have presided as Judge of the Fifth Judicial Circuit, and the particular in which I resemble the belles is that I have made but few speeches myself. Perhaps I should say in justice to them, that I have made no speeches, for I presume they make no speeches—but during that time I have had the honor of listening to a great many speeches, so that, in these two particulars, I occupy the same position as they—making no speeches myself, but having a great many speeches made to me. [Laughter.] I hope, with this explanation, that the ladies will honor us with their presence, and take no exception to my claim to occupy their position in these particulars. In saying this, however, I desire to say that, having been out of the habit of speaking for the last twelve years, I have sometimes got in the way of speaking by proxy, and I expect, on this occasion, that some of my neighbors and friends, and colleagues, who are more accustomed to speaking than myself, will speak my sentiments, and that although I may not indulge to any extent in the debates in person, I hope to do so more effectively by proxy. With this explanation, I hope the resolution will pass unanimously.

Mr. Foster. I am very proud that my friend from Ray is disposed to be in favor of printing the debates; but if he will allow me to state as much, he need not be at all uneasy as to whether his resolution is adopted or not, as I feel very sure that the Legislature will not make the appropriation. I even apprehend, from the disposition manifested by the Legislature, that they will not make an appropriation to remunerate members of this Convention for their services here. In view of this fact, and in view of the further fact that so far as I understand the law, we have no power, as we can see, to take money out of the public treasury at all, I do not, therefore, see that any good can come from the resolution. So far as I am concerned, I should like very much to see the acts of this Convention go before the public, and if we can manage it in any way to get them before the public, I think it right to do so. But if we depend upon the Legislature of Missouri for bringing the facts of this Convention before the public mind, my word for it, we shall not get our action before the public at all. Although the Legislature of Missouri called this body into existence, yet, sir, its complexion so very materially differs from the complexion of the Legislative body, that if they had the power, in my judgment, they would crush us out of existence today, and hence, so far as my acts are concerned, it shall be independent of that body, regardless of consequences.

Mr. Hudgins. I was sorry to hear one single voice against the resolution of the gentleman from Ray. I do not think, sir, that the Legislature intends to pursue the course that the gentleman (Mr. Foster) on my left here suggests. I am satisfied they will make an appropriation, and in justice to them I will state to-day that I have no doubt of it, sir. This Convention is an important one, and the eye of the people of the

State is looking to it. It ought to do nothing which they are not willing to go before the people. Whether the debates of this Convention will reflect the will of the Legislature of the State of Missouri or not, I know not, and I am not concerned in regard to that. I am satisfied they will do justice to us in regard to that matter, and that this resolution ought to pass, and that the debates of this Convention should go before the people. I expect to do nothing myself, so far as voting and speaking is concerned, that I shall have the least disposition to withhold from any citizen of Missouri or the Union. I am in favor, sir, of the resolution.

Mr. **Birch**. As to what has been said distrustive of the *legislative* action, it is but proper to remark that I consider it at least gratuitous, if not unjust. We have in fact no reason to doubt but that the Legislature which called us together will readily recognize all the usual expenses of such bodies; and as about the best political reading I ever met with was in the published debates of the Virginia Convention, (when I was a young man,) I am unwilling to withhold from others, of the present day. whatever may, in like manner, tend either to *their* edification or enable them the better to hold us to a just and intelligent responsibility for our acts and utterances here. I shall, therefore, vote for the resolution of my colleague.

Mr. **Sheeley**. I should like to make an inquiry. Was there not an order passed here some days ago, that the seats not occupied by the members of the Convention should be appropriated to the ladies? I see a number of ladies that cannot be seated, as the seats are occupied by gentlemen. If it is in order, I ask that it be so arranged that the ladies can get seats.

The **Chair**. Gentlemen who are not members of the Convention, and who are occupying the seats of the Convention, will make place for the ladies. They are appropriated exclusively for the ladies.

Mr. **Wilson**. Something has been said, sir, in relation to an appropriation to pay the expenses of this Convention. Now, according to my understanding, the Legislature supposed at the time, that they had provided fully for the necessary expenses of an independent body, and had placed it in the power of the Convention to defray all necessary expenses, and I feel satisfied that, if there has been any omission in this particular, it will be readily supplied. I hope that provision will be made, in some form or other, for the publication of the proceedings and debates of this body. I think that it is due to the people of the State that our proceedings, so interesting to a large proportion, and perhaps to all the people of this State, should be sent broadcast all over the land. I have no doubt but that, if legislative action shall be necessary, it will be promptly rendered at any time.

Mr. **Doniphan**. I desire that this subject be passed over for a moment, in order to permit the Chairman of the Committee on Federal Relations to make his report, so that the report may be printed and laid on the table. If, however, this subject will elicit no further discussion, it may be disposed of at once and the report read afterwards.

The **Chair**. The question will be on the adoption of the resolution. The resolution was then adopted.

Mr. **Gamble**, from the Committee on Federal Relations, then made the following

REPORT.

The Committee on Federal Relations beg leave to report. On looking to the present condition of our late prosperous, happy and united country, we see seven of our sister States by the action of their Conventions declaring themselves separated from the United States, and organizing for themselves a distinct national government; while others are in a disturbed condition, looking anxiously to the future, and uncertain about all that is to come.

If, in our astonishment at the sudden disruption of our nation, we attempt to trace the causes that have produced the disastrous result, we find that the origin of the difficulty is rather in the alienated feelings existing between the Northern and Southern sections of the country, than in the actual injury suffered by either; rather in the anticipation of future evils, than in the pressure of any now actually endured.

It is true that the people of the Southern States have a right to complain of the incessant abuse poured upon their institutions by the press, the pulpit, and many of the people of the North. It is true that they have a right to complain of legislative enactments designed to interfere with the assertion of their constitutional rights. It is true that the hostile feelings to Southern institutions entertained by many at the North have manifested themselves in mob violence interfering with the execution of laws made to secure the rights of Southern citizens. It is true that in one instance this fanatical feeling has displayed itself in the actual invasion of a Southern State by a few madmen, who totally misunderstood the institution they came to subvert. It is true that a sectional political party has been organized at the North, based upon the idea that the institution of Southern slavery is not to be allowed to extend itself into the Territories of the United States, and that this party has for the present possessed itself of the power of the Government.

While it is thus true that the people of the South have well-grounded complaints against many of their fellow-citizens of the North, it is equally true that heretofore there has been no complaint against the action of the Federal Government in any of its departments, as designed to violate the rights of the Southern States.

By some incomprehensible delusion, many Northern people have come to believe that in some manner they are chargeable with complicity in what they are pleased to consider the sin of slavery, and for which, as existing in the Southern States, they are just as much responsible as they are for the same relation existing in the heart of Africa. This morbid sensitiveness has been ministered to by religious and political agitators for the purpose of increasing their own importance and advancing their own interests, and the natural consequences have followed: outbursts of mob violence and of political action against the owners of slaves.

While the prejudice thus existing in the Northern mind is latent, not exhibiting itself in action, we may lament its existence and the estrangement it produces; but we trust in such case, as in all others of similar character, that a better knowledge of the subject will remove the prejudice. Already the awakened attention of the Northern people gives promise that the miserable agitators will be stript of their power over the public mind, and that reason and a correct sense of duty and of justice will ultimately prevail and dispose our Northern fellow-citizens to fulfill all the duties they owe to us as citizens of the same country, living under the same Constitution, inheritors of the same blood, and sharers in the same destiny.

So far as the prejudice complained of has manifested itself in legislative action, the complaint is not merely that such action violates the Constitution of the United States, because our own State has passed acts which have been declared by our own judicial tribunals and by the Supreme Court of the United States to be violations of the Constitution of the United States; and those familiar with the judicial history of the country know that many, if not all the States of the Union, have at times passed laws which have been held to be inconsistent with that Constitution. Some of these acts related to land titles, some to contracts, some affected commerce with foreign nations and between the States; but all such laws as they were, not produced by any sectional feeling, were left to be decided upon by the tribunals of the country with an ultimate appeal to the Supreme Court of the United States, the final arbiter on all cases arising under the Constitution. Such cases produced no excitement in the public mind, and all confidence was reposed in that elevated tribunal that it would vindicate the supremacy of the Constitution.

There is no reason to apprehend that that tribunal would shrink from declaring the class of enactments of which we are now treating, which are aimed against the rights of slaveholders, repugnant to the Constitution and therefore void. There is, therefore, an obvious remedy for the grievance arising out of this unconstitutional legislation, and that, too, a remedy provided by the Constitution itself for an evil foreseen when it was made. Moreover, there are indications of a returning sense of justice in the Northern States, from which we may hope for the voluntary repeal of these obnoxious enactments.

Upon the subject of the violent interference by mobs with the execution of the fugitive slave law, and the forcible abduction of slaves when with their owners in the Northern States, it is proper to observe that there reigns throughout this land a spirit of insubordination to law that is probably unequalled in any other civilized country on the globe. While this is true, it is a fact of which we can still be proud that the judicial tribunals of the Federal Government have not failed in any case brought before them to maintain the rights of Southern citizens and to punish the violators of those rights.

When Southern soil is invaded by Northern madmen for the purpose of overthrowing the institution of slavery, they meet their death by the law, and that is the end of their scheme.

The fact that a sectional party avowing opposition to the admission of slavery into the Territories of the United States has been organized, and has for the present obtained possession of the Government, is to be deeply regretted, because it opens before us all the dangers against which the Father of his Country so earnestly warned us.

But the history of our country for a very few years back, instructs us in the truth that political parties, even when coming into power with overwhelming popularity, soon melt away under the influence of internal jealousies, and disappointments, and the attacks of vigilant opponents.

When a party comes into power upon the basis of a single question of policy, there is soon found the truth, that government cannot be administered upon a single idea, and its supporters become divided upon the questions which affect their own interests.

There is every reason to hope that the party which has just assumed the reins of government will feel that the vast interests intrusted to their management, are of much greater importance than the question, whether slaves shall or shall not be admitted into all the Territory that now belongs to the United States. There is reason to hope that when the masses of that party understand that the admission of slaves into a Territory does not increase the number of slaves in being, they will be prepared to make any arrangement with their Southern brethren that shall assure to them equal rights in the common Territories.

Under the state of facts now existing, it would seem almost needless to speak of the propriety of the State of Missouri engaging in a revolution against the Federal Government. Secession is the word commonly employed when the revolution now in progress is mentioned; but as the Constitution of the United States recognizes no power in any State to destroy the government, the word "secession," when used in this paper, is to be understood as equivalent to revolution.

To involve Missouri in revolution, under present circumstances, is certainly not demanded by the magnitude of the grievances of which we complain, nor by the certainty that they cannot be otherwise and more peacefully remedied, nor by the hope that they would be remedied or even diminished by such revolution.

The position of Missouri in relation to the adjacent States which would continue in the Union, would necessarily expose her, if she became a member of a new confederacy, to utter destruction whenever any rupture might take place between the different republics. In a military aspect, secession and a connection with a Southern Confederacy is annihilation for our State.

Many of our largest interests would perish under a system of free trade.

Emigration to the State must cease. No Southern man owning slaves would come to the frontier State; no Northern man would come to this foreign country avowedly hostile to his native land.

Our slave interest would be destroyed, because we would have no better right to recapture a slave found in a free State than we now have in Canada. The owners of slaves must either remove with them to the South, or sell them, and so we would in a few years exhibit the spectacle of a State breaking up its most advantageous and important relations to the old Union, in order to enter into a slaveholding confederacy, and having itself no slaves.

The thought of revolution by Missouri, under present circumstances, is not, we believe, seriously entertained by any member of this Convention.

But what is now the true position for Missouri to assume? Evidently that of a State whose interests are bound up in the maintenance of the Union, and whose kind feelings and strong sympathies are with the people of the Southern States, with whom we are connected by ties of friendship and of blood. We want the peace and harmony of the country restored, and we want them with us. To go with them as they are now, to leave the government our fathers builded, to blot out the star of Missouri from the constellation of the Union, is to ruin ourselves without doing them any good. We cannot now follow them; we cannot now give up the Union; yet we will do all in our power to induce them to take their places with us in the family from which they have attempted to separate themselves. For this purpose we will not only recommend a compromise with which they ought to be satisfied, but we will unite in the endeavor to procure an assemblage of the whole family of States in order that in a General Convention such amendments to the Constitution may be agreed upon as shall permanently restore harmony to the whole nation.

While attempts are being made to heal the present divisions, it is a matter of the highest importance that there should occur no military conflict between the Federal Government and the government of any of the seceded States. Such conflict will certainly produce a high state of exasperation and very probably render abortive all attempts to adjust the matters of difference.

While it is admitted that every government must possess the power to execute its own laws, and that the Government of the United States is no exception to this necessary and universal rule, still, in a case such as that with which we are now dealing it is all important that those in authority should remember that such power is not given to be exercised for the destruction of the government, under the guise of maintaining its authority. The question of exercising such power is to be determined with a view to all existing circumstances, and while the power itself cannot be abandoned the greatest patience and forbearance may often be required in order to prevent evils in the highest degree dangerous to the peace of the nation.

Placed as Missouri is in the very centre of the confederacy, united to all its parts and interested in the prosperity of each part, she would speak to the Government of the United States and to the Governments of the seceding States, not in the language of menace but of kindness, not threatening but entreating; and with this feeling she would ask all concerned in the governments to avoid all military collisions which would without doubt produce uncontrollable excitement, and very probably ruinous civil war. Civil war among the American people, the citizens of the freest nation of the world, blest of God, envied of man, would be a spectacle at which humanity would shudder, over which freedom would weep, and from which Christianity affrighted would flee away.

If it be the glorious mission of Missouri to aid in arresting the progress of revolution and in restoring peace and prosperity to the country; if she shall be instrumental in binding together again the hearts of the American people, and thus restoring the union of affection as well as the union of political and individual interest, she will but occupy the position for which nature designed her by giving her a central position, and endowing her with all the elements of wealth and power. And why should she not?—she was brought forth in a storm and cradled in a compromise. She can resist the one and recommend the other.

In order to express her opinions and wishes, the following resolutions are submitted:

Resolved, That at present there is no adequate cause to impel Missouri to dissolve her connection with the Federal Union, but on the contrary she will labor for such an adjustment of existing troubles as will secure the peace as well as the rights and equality of all the States.

Resolved, That the people of this State are devotedly attached to the institutions of our country and, earnestly desire that by a fair and amicable adjustment all the causes of disagreement that at present unfortunately distract us as a people may be removed, to the end that our Union may be preserved and perpetuated, and peace and harmony be restored between the North and the South.

Resolved, That the people of this State deem the amendments to the Constitution of the United States, proposed by the Hon. John J. Crittenden, of Kentucky, with the extension of the same to the Territory hereafter to be acquired by treaty or otherwise, a basis of adjustment which will successfully remove the causes of difference forever from the arena of national politics.

Resolved, That the people of Missouri believe the peace and quiet of the country will be promoted by a Convention to propose amendments to the Constitution of the United States, and this Convention therefore urges the Legislature of this State to take the proper steps for calling such a Convention in pursuance of the fifth article of the Constitution, and for providing by law for an election of one delegate to such Convention from each electoral district in this State.

Resolved, That, in the opinion of this Convention, the employment of military force by the Federal Government to coerce the submission of the seceding States, or the employment of military force by the seceding States to assail the Government of the United States, will inevitably plunge this country into civil war, and thereby entirely extinguish all hope of an amicable settlement of the fearful issues now pending before the country; we therefore earnestly entreat as well the Federal Government as the seceding States to withhold and stay the arm of military power, and on no pretence whatever bring upon the nation the horrors of civil war.

Resolved, That when this Convention adjourns its session in the city of St. Louis, it will adjourn to meet in the Hall of the House of Representatives at Jefferson City, on the third Monday of December, 1861.

Resolved, That a Committee of —— be elected by this Convention, a majority of which shall have power to call this Convention together at such time prior to the third Monday of December, and at such place as they may think the public exigencies require, and the survivors or the survivor of said Committee shall have power to fill any vacancies that may happen in said Committee by death, resignation, or otherwise, during the recess of this Convention.

GAMBLE, Chairman.

Mr. DONIPHAN. That report is a long one, and is, perhaps, the most important business of the Convention. I therefore, move that it be laid on the table with an order to be printed, and made the especial order for Monday, at 10 1-2 o'clock. As one of the members of that Committee, I will say that I have differed, in some respects, from the Committee in the wording, agreements and propositions combined in the report, but not sufficiently so to induce me to offer any opposition. I understand, however, that some of the members of that Committee intended presenting a minority report, and as Judge Gamble has failed to state it, at their request I consider it proper to make the statement.

Mr. GAMBLE. I intended to make the statement as soon as I should get the floor.

Mr. DONIPHAN. My object at present is simply to ask that the resolution be laid on the table and printed, and made the special order for 10 1-2 o'clock, on Monday.

Mr. REDD. Pending that motion I desire to say, as a member of that Committee, that whilst the temper and spirit of that report meets my hearty approval, while in its arguments and conclusions, in the main, I concur, I must say that the plan of adjustment laid down, in my judgment, will not attain the end sought—namely, the preservation of the Union; and with all due deference to the superior aid, with all due deference to the vastly superior abilities of the majority of that Committee, I must say that I deem it my duty—a duty I owe to my country, a duty I owe to myself—to ask to present a minority report, setting forth the reasons that have led my mind to the conclusion that the plan of adjustment presented in that report will fail to attain the end sought, and to present the only plan that will, in my judgment, attain that end. There were others of the committee who differed with the majority in regard to that plan. Gentlemen of vastly superior ability to myself—gentlemen who are familiar with the proceedings of deliberative bodies, (as I am not and have never been,) and we relied upon these gentlemen, and I presumed that some one of them would prepare a minority report, presenting the plan that met our approval. It had not been done this morning, however, and so I sketched out a hasty report, and completed it in the committee room. It is not in a condition now that I would desire to present it to this Convention. If there be no parliamentary rule that will prohibit it, I desire to present that minority report on Monday next. If there be such a parliamentary rule, I will present the report in the shape in which it now is, and present it now.

The CHAIR. The gentleman will have leave to bring in his minority report on Monday next, if no objection is made.

VOICES. Leave.

The CHAIR. Leave is granted.

Mr. *REDD. It will be entered then,* Mr. President, upon the journal, if you please.

Mr. SHEELEY. I would ask whether it would be in order for the gentleman, when he has prepared his report, to hand it to the printer, so that we may have both reports printed.

The CHAIR. I see no reason why it should not be done.

Mr. SHEELEY. Then, if in order, I will make that motion.

Mr. REDD. If I get the report prepared in time, I will furnish it to the printer.

Mr. BRECKINRIDGE. I understand there is a proposition by the gentleman from Marion, to have the report printed prior to its submission to the Convention. Is that so?

The CHAIR. That is the agreement on the part of the Convention. I put the question, and there was no objection, and it was so ordered.

The question will be on laying the report on the table and ordering it to be printed.

The motion of Mr. Doniphan was then agreed to.

On motion of Mr. SHACKELFORD, of Howard, the Convention then adjourned.

NINTH DAY.

ST. LOUIS, March 11th, 1861.

Convention met at 10 o'clock, A. M.

President PRICE in the Chair.

Prayer by the Chaplain.

The Journal was read and approved.

Mr. BIRCH offered the following resolution:

WHEREAS, an article appears in the Missouri *Republican*, of this morning, of which the following is a copy:

For the Republican.

A Plot to Precipitate Missouri into Disunion Exposed!

MR. EDITOR: Within the last *four* days a prominent gentleman of this city, who was a candidate for the Convention on the Constitutional ticket, was waited upon by several gentlemen, who stated that the Convention which is now in session was unsound, and that it was necessary to take measures to have this State secede; and to bring about that result the gentleman to whom I allude was invited to meet his visitors on a certain designated evening, and at an appointed place, to take the preliminary steps to force the State into secession.

The gentleman above referred to answered his visitors by informing them that they had mistaken their man—that he was not a secessionist, and was opposed to secession. His visitors charged him with changing his ground, which charge was denied, and the matter was cut short by the gentlemen being *distinctly* and emphatically told that if they held their meeting they would be exposed.

The meeting was not held at the place indicated, and it is not known *whether it* was held at any other place or not.

The gentleman who gave me the foregoing information is the same who was waited upon by the party of secessionists; and, although I have not attempted to give his language, I give the substance of the facts he told me, and I doubt not that they can be substantiated, if need be. My informant is a man of truth, and will not eat his words.

E.

Resolved, That a committee be appointed to inquire into the facts and circumstances connected with so daring a conspiracy as the one therein foreshadowed, and that said committee have power to send for persons and papers, and to sit during the session of this Convention.

Mr. BIRCH. Ordinarily, Mr. President, no person pays less attention than I do to what may be termed the sensation dispatches, or the sensation articles, of the political press. I have such information, however, in regard to the matter and the veracity of this article, that with the views I entertain of our duties here, I may not forego the corresponding duty I have risen to perform. I have the information from unquestionable sources—and this, without involving any breach of courtesy or of confidence—that the author of the communication embodied in my resolution is Captain N. J. Eaton, a name as familiarily and as favorably known to us as that of any citizen of the State; and that the gentleman in this city who was thus mistakenly approached by a deputation or committee from Jefferson (as I understand it) was Col. L. V. Bogy, a citizen of equal position, and of the same elevated order of unyielding patriotism. Under circumstances thus challenging our attention, it is but *demanded* of us that we look further into them, and that as men who have been selected and sworn to "*see that the State suffers no detriment,*" we should shrink from no duty, however unpleasant or responsible, that may confront us, either here or elsewhere, now or hereafter. If the Committee, as the organ of the Convention, can do no more, it can at least draw forth and report the names and position of the desperate and reckless conspirators who thus, under the frown of the Legislature and the frown of this Convention of the People, are alleged to be devising secret and revolutionary means "to *force* the State into secession." I add no more, at present, except to repeat that, according to my estimate of our duties here, they reduce themselves, in this connection, to the maxim upon which the most illustrious of our heroes was but instinctively impelled to act upon a memorable occasion at New Orleans—"*care, ne quid detrimenti respublica capiat*"—not under the offensive designation of "dictators," as in Rome, where the words I have quoted constituted the charge of the office, but as representatives of the people, who will be with us in all legitimate attempts to fathom and to frustrate the peril which has been thus foreshadowed to us, as they were with the illustrious hero to whom I have alluded, and that, in spite of the technicalities and the cavils which were then thrown in *his* way, as they may now be thrown in ours. I trust, therefore, that the resolution may be adopted, the committee appointed, and go into session without unnecessary delay.

Mr. Sheeley. Are any members of the Convention implicated?

Mr. Birch. Not that I am aware of or believe. Through the agency of the committee, however, we may examine members of the Convention as well as any other persons.

Mr. Knott. I desire to ask a question. What does the gentleman propose to do with these men if he finds they are in favor of taking Missouri out of the Union. What will he do with them if he finds out that they are *Catalines*, delegated to carry us out of the Union, whether we want to go or not?

Mr. Birch. Well, Mr. President, I would measure my words and hence repress my feelings accordingly. I have said only on this floor, that I would present those names to this Convention, and I would trust the Convention in any subsequent or ultimate steps. We are called here, unless our mission is a mockery, to see that this State suffers no detriment at the hands of any one whatever, and we have all the *powers* here that the people of Missouri have for that purpose. I answer the gentleman, therefore, that, if we should get the names, and if we should get such facts in connection with the names, as will justify any future or further action of this Convention, I fear not but that it will take such steps as may seem necessary to preserve the State. That is all I desire to say now upon this subject.

Mr. Knott. Does the gentleman believe that individuals can take this State out of the Union, if this Convention is not willing to go?

Mr. Birch. I will answer that. I think this Convention *can possibly* prevent bad men from carrying out their combinations—if it should be found they are IN combination all over the State—that we may possibly arrest their alleged programme of hoisting a secession flag on a given day in every village of the State, as the signal of general revolt. I think we may have the power to at least countervail them in their mad and traitorous career. But, as I have not anticipated these questions, I will not say what else it might become us to do; but I doubt not the Convention will do whatever it may become it to do, after its appropriate committee shall have collected and spread before it the facts which are alleged to exist in this case.

Mr. McCormick. I ask for the reading of the resolution.

The resolution was read by the Secretary.

Mr. Knott. I do not think there is much danger of Missouri being hurried out of the Union. I think the people of Missouri have very recently expressed their determination to stay in the Union by an overwhelming majority, and 100, 500, or 10,000 designing spirits cannot hurt us; and more than that, I cannot see any practical benefit to be derived from the adoption of this resolution to raise a committee. What is it designed for? To put a mark upon those men, that they may be known for all time to come? If we are to descend from the business which we were sent here to transact to put marks on men, we may expect to continue in session five years to come; and if we come down from the high position that the people of the State have given us upon this floor—if we descend to investigate all the conjectures of any anonymous report in the newspapers—sir, we will have labor that will take us ten years to perform. I see no practical good to be derived from the raising of this committee. I, therefore, hope, sir, that the Convention will lay it immediately on the table, and I make that motion.

Mr. Birch. I call for the ayes and noes.

The roll was then called and the motion to table rejected by the following vote:

Ayes—Messrs. Allen, Bartlett, Bass, Bast, Bogy, Brown, Cayce, Collier, Comingo, Crawford, Donnell, Frayser, Flood, Givens, Gorin, Harbin, Hatcher, Hill, Hough, Hudgins, Kidd, Knott, Matson, Noell, Redd, Sayer, Shackelford of Howard, Sheeley, Waller, Watkins—30.

Noes—Messrs. Birch, Breckinridge, Broadhead, Bridge, Bush, Calhoun, Drake, Eitzen, Foster, Gantt, Gravelly, Henderson, Hendricks, Hitchcock, Holmes, Holt, How, Howell, Irwin, Isbell, Jackson, Jamison, Johnson, Leeper, Linton, Long, Marmaduke, Marvin, Maupin, McClurg, McCormack, McDowell, McFerran, Meyer, Morrow, Moss, Norton, Orr, Phillips, Ray, Ritchey, Ross, Rowland, Scott, Smith of Linn, Smith of St. Louis, Turner, Wilson, Woodson, Woolfolk, Wright, Vanbuskirk, Zimmerman and Mr. President—56.

EXPLANATION OF VOTES.

Mr. Bogy. Not being able to discover that any practical good can be derived from the adoption of the resolution, I shall vote *aye*.

Mr. Breckinridge. I would say, Mr. President, that I cannot see how it could be possible for the Convention to refuse to consider a matter which reaches directly to the honor, peace, and safety of the State, and therefore vote against laying the resolution on the table.

Mr. Foster. I am not disposed to consume the time of this Convention unnecessarily, sir, but as the Convention has not been doing much for a number of days, and as I am one of those individuals who are disposed, not only in this Convention, but everywhere else, to place the mark of condemnation on any individual who is plotting against my country, I shall vote *no.*

Mr. Redd. I was not in my seat when the resolution was read, and cannot, therefore, vote understandingly.

The Chair. The gentleman is excused.

Mr. Redd. I do not want to be excused, but would like to have the resolution read.

The Chair. The gentleman should have called for the reading of the resolution before the roll was called, if he was in the house. The question will be on granting leave to have the resolution read. [Voices—leave!]

Leave was thereupon granted, and the resolution read again.

Mr. Redd. Mr. President—I shall vote aye on the question of tabling. My reason for so doing is simply this, that I don't believe this Convention is called for any such purpose as that contemplated in the resolution.

Mr. Shackelford of Howard. I feel mortified that this body of men should be exercised over sensation articles in newspapers. We all know that plans are on foot to lead Missouri out of the Union, and it needs not the action of this Convention to place the mark on so disposed men. I think our constituents have already marked them. I am afraid the adoption of all such motions as the one under consideration will lead to unprofitable results. Having no apprehensions that the people of Missouri can be frightened into a desertion of our glorious confederacy by the tricks of politicians, I can, with perfect composure, vote aye on the question of laying this resolution on the table.

Mr. Sheeley. I admire this Union, and while perhaps I will stick in it as long as any man in the Convention who is not an unconditional Union man—and I have come here determined to do everything to save it—still I do not think it proper that I should act the part of a grand juror. Never having been on the Grand Jury in my life, I do not see proper now to be placed on it or become one of a Grand Inquest of Missouri, whose business it is to see who are and who are not traitors. I shall, therefore, vote aye.

Mr. Sol. Smith. In explanation of my vote I will say, that I will sit here to oppose secession in every form. If there is a plan to take Missouri out of the Union, I should like to know it. I shall, therefore, vote no.

FURTHER PROCEEDINGS.

The question recurring on the adoption of the resolution,

Mr. Comingo asked for its reading.

Read by the Secretary.

Mr. Crawford called for the ayes and noes.

Mr. Hudgins—I desire to say one word in regard to my vote. I am against this resolution, not because I favor any organization of that kind in the State, but because I do not believe it is a proper subject of investigation for this body. I do not believe the Convention ought to engage in it.

The resolution was then adopted by the following vote:

Ayes—Messrs. Birch, Breckinridge, Broadhead, Bridge, Bush, Calhoun, Douglass, Drake, Eitzen, Foster, Gantt, Gravelly, Henderson, Hendricks, Hitchcock, Holmes, Holt, How, Irwin, Isbell, Jackson, Jamison, Johnson, Leeper, Linton, Long, Marmaduke, Marvin, Maupin, McClurg, McCormack, McDowell, McFerran, Meyer, Morrow, Moss, Norton, Orr, Phillips, Ray, Ritchie, Ross, Rowland, Scott, Smith of Linn, Smith of St. Louis, Turner, Woodson, Wright, Vanbuskirk, Zimmerman, Mr. President—52.

Noes—Messrs. Allen, Bartlett, Bass, Bast, Bogy, Brown, Cayce, Collier, Comingo, Crawford, Donnell, Dunn, Frayser, Flood, Givens, Gorin, Harbin, Hatcher, Hill, Hough, Howell, Hudgins, Kidd, Knott, Matson, Noell, Sayer, Shackelford of Howard, Sheeley, Waller—30.

The President appointed Messrs. Birch, Sheeley and Ray as the committee.

Mr. Sheeley. I should like to be excused from serving on the committee. I cannot for my life see how any good can come from this investigation.

Mr. Birch. I trust the gentleman will be excused, if he presses it.

Mr. Sheeley was thereupon excused, and Mr. Drake substituted in his place.

Mr. Ray. I would also ask to be excused.

Excused, and Mr. Zimmerman substituted.

Mr. Moss. I would inquire if the hour has arrived for taking up the majority report of the Committee on Federal Relations?

The Chair. That report will now be taken up.

Mr. Moss. I will ask if amendments are now in order.

The Chair. The report must first be read.

The Secretary began to read the report, when,

On motion of Mr. Sheeley, the further reading was dispensed with.

Mr. Moss offered the following amendment:

Amend the fifth resolution by adding, "and further believing that the fate of Missouri depends upon the peaceable adjustment of our present difficulties, she will never countenance or aid a seceding State in making war on the General Government, nor will she furnish men and money for the purpose of aiding the General Government in any attempt to coerce a seceding State.

Mr. Sheeley. Will it be in order to consider the resolutions before taking action on the report? I trust we shall first take up the report and, if we adopt that, we may then proceed to the resolutions.

The CHAIR. I hold the Convention can do in that respect as it pleases.

Mr. SHEELEY. My impression is we had better take up the report. I am informed the committee have some verbal amendments to offer to it, and it seems to me the committee should have leave to offer them now.

Mr. BRECKINRIDGE. I suggest, Mr. President, that, as I understand, the proper mode of proceeding will be for the report of the Committee to be read, and the debate to be opened by the Chairman of the Committee, who as yet has had no opportunity to present his view of it to the Convention. If I am correct in this, the amendment offered by the gentleman from Clay should be offered after the Chairman of the Committee on Federal Relations has spoken to the report.

Mr. MOSS. I will say in reply to the suggestion made by the gentleman from St. Louis, that I am one of those who think that the best plan to amend a report is by offering amendments to that report. I do not believe in the policy of attempting to reach the objection in this majority report by presenting a minority report.

Mr. BRECKINRIDGE. I hope the gentleman will not suppose that I expect to reach any objection to the majority report through the medium of the minority report. I understand, however, the Committee on Federal Relations are out, and it seems to me that we ought to extend to them the courtesy of deferring action until they can be present. I therefore suggest that the report be read, so that, during the reading, the Committee may come in.

Mr. MOSS. I will state that I will yield to the suggestion made by the gentleman from St. Louis, with the understanding that, after the report is read, I shall have the privilege of the floor for the purpose of advocating my amendment, if I see proper.

The Secretary read the report.

Mr. REDD, from the Committee on Federal Rela ions, presented the following

MINORITY REPORT.

The undersigned, members of the Committee on Federal Relations, being unable to agree the report presented by the Committee, desire to resent for the consideration of the Convention the views that they entertain and that they believe the people of Missouri entertain in relation to the causes that have led to the present alarming condition of our beloved Union, and the course that if pursued would most likely lead to an amicable adjustment of the issues involved in the present crisis, preserve the Union from further disintegration, and restore peace and harmony to our divided and distracted country.

Within the lifetime of many now living, our Federal Government, the best that the wisdom of man ever devised, was created and put in successful operation; its first President was inaugurated in March, 1789, and from that time through a long series of years it continued to increase in territory and population, in wealth and power, with a rapidity hitherto unparalleled in the history of nations, until twenty sovereign States were admitted as members of the Union, formed by the original thirteen; and until a comparatively recent period these States were all one people, one in sympathy, one in fraternal feeling, one in patriotic devotion to that common Union, of which all were proud. How is it now? Fraternal feeling has fled; a spirit of bitter and determined hostility has taken its place; State stands arrayed against State, and section against section, arming for a deadly conflict; seven of the States have withdrawn from the Union that their fathers made, and made a Union of their own, and a Federal Government of their own; that Government with one of the most clear-headed and sagacious statesmen of the age at its head, is organized in full operation, exercising all the powers of sovereignty, and prepared to defend its sovereignty by military power.

Other States, alarmed for the safety of their slave institutions, are preparing to follow their example; the din of preparation for civil strife is heard on every hand, and that once glorious Union, so dear to the heart of every American patriot, is now in the progress of its dissolution.

There is cause for all this; a free people capable of self-government do not destroy institutions of which they were once so proud, and incur all the risks of civil strife, without some adequate cause; all experience demonstrates that mankind are more disposed to bear with great and pressing evils than to resort to revolution with all its attendant horrors.

It is our duty to examine into the causes that have environed the Union with perils and threatened its utter destruction, and, if possible, devise a plan to save it from further disintegration.—When we look back over the history of our country, we see arising in the Northern States an anti-slavery party, whose sole cohesive principle was a bitter hostility to the slave institutions of the Southern States. At first that party was weak, its members few, and scattered abroad, and considered by the Northern people themselves as mischievous fanatics; it continued gradually, but steadily, to increase, until political parties began to court its aid; from this time it progressed rapidly in numbers, and increased in its virulence and hatred to Southern slave institutions and to slave-holders. Political demagogues, to promote their own selfish ends, pandered to its prejudices from the political rostrum. Sensation preachers, to increase their own importance, Sabbath after Sabbath, proclaimed its incendiary doctrines from the pulpit, instead of preaching peace on earth and good will among men. It seized on the literature of the North, and corrupted it in all its channels.

Books written to inculcate its destructive heresies were introduced into its Sabbath schools, common schools and institutions of learning of higher grade.

A large portion of the Northern press, literary, religious and political, teemed with articles misrepresenting and denouncing Southern institutions and Southern men.

Nourished and fostered by these means, this anti-slavery party obtained the control of the governments of the free States, and as those States came under their control they violated the compact that united them to their sister States of the South. By that compact they had covenanted that a fugitive slave found within their borders should be delivered up upon demand of his master. They violated that compact.

1st, By failing to enact laws providing for his delivery;

2d, By refusing the master aid and permitting their lawless citizens to deprive him of his property by mob violence;

3d, When Congress interposed for his relief by the enactment of the Fugitive Slave Law, they trampled that law under foot, and nullified it by deliberate State legislation.

By the compact that united the Northern States to their Southern sisters, they covenanted that they, upon demand made, would deliver up for trial any fugitive from justice charged (by indictment) with treason, felony or other crime.

They have willfully and deliberately violated this covenant. They have (without passing laws to restrain them) permitted their citizens to invade the soil of Southern States, steal their slaves, and incite them to insurrection, and when the felon has been indicted and demanded, they have refused to give him up, and, to add insult to injury, they have justified the act by enunciating a proposition that strikes at the foundation of slave institutions, that as man cannot hold property in man, therefore slave stealing is no crime; and while there has been hitherto no just ground of complaint against the Federal Government, that Government has been powerless to remedy the evil.

This anti-slavery party, after having divided church organizations and destroyed the noble old Whig and the gallant young American party, has upon their ruins erected (in disregard of the warning voice of the father of his country) a purely sectional party, called the Republican party.

We do not desire to do that party injustice. It should be judged as all other parties are judged, by its platform and the principles enunciated by its representative men, and upon the enunciation of which the party elevates them to power.

That party, through its chosen leader, proclaimed the dangerous and destructive heresies that our Federal Government cannot continue to exist as our fathers made it, part slave and part free; that in that condition it is a house divided against itself and cannot stand; that it must become all one or all the other; that an irrepressible conflict is progessing between freedom and slavery, and that it must continue until the public mind can rest satisfied in the belief that slavery is in the process of extinction; that hereafter the slave property of Southern men shall be taken from them by Congressional legislation, if they take it with them into the Territories, the common property of all the States.

The free States, deaf to the earnest remonstrances of their Southern sisters, regardless of the warning voice of a people jealous of their rights, indorsed the doctrines of that party and elevated its leader to the Presidential chair by large majorities in all the free States, except one, thus placing the Federal Government, to which the South had hitherto looked as its friend, in the hands of its enemies.

These are the causes that have dissolved the Union, and have driven State after State beyond its pale; and these are the causes that will drive the remaining slave States out of the Union, unless these sectional issues can be settled upon some basis consistent with security to their slave institutions.

This Convention was called for no ordinary purpose, it has assembled upon no ordinary occasion; while the people of Missouri will never surrender their slave institutions at the bidding of any earthly power, they ardently desire the preservation of the Union and the preservation of their slave institutions in the Union; this is the high mission to which this Convention is called; this can be accomplished only by action, *prompt, decided* action. Delay is dangerous; we know not, no human sagacity can penetrate the dark vail that hides the future and tell us at what hour the country may be aroused from its repose by the clash of arms. The plan proposed by the committee is, that this Convention request the Legislature to pass an act calling on Congress to call a National Convention, to propose a basis of settlement in the shape of amendments to the Constitution, to be afterwards submitted to the States for ratification or rejection. This amounts to doing nothing, literally nothing; if the plan was practicable, it would require eighteen months or two years to carry it into effect. But is it practicable, is there a reasonable ground to hope that it would save the Union? Let us see: Congress can only act when called on by two-thirds of the States; Congress takes the position that the seceded States are yet in the Union. On this basis it would require the action of Legislatures of twenty-three States uniting in the call. Several of these Legislatures having already taken their position against any amendments, consequently would not unite in the call, and the plan would fall still-born.

But even if such a Convention should assemble, how would matters stand? Eight Slave States (if they remained in the Union, which is exceedingly doubtful) would go into Convention with nineteen Free States, and take such amendments as those States controlled by an anti-slavery party might be disposed to grant.

The preservation of the Union, in the opinion of the minority, should be the earnest desire not only of every American patriot, but also of every friend of civil liberty throughout the habitable globe; that this may be done is the earnest prayer of every American mother throughout this great republic; that it shall be preserved is the fixed determination of a large majority of the citizens of the Border Slave States whose citizens have ever been not only loyal to the Constitution and the Union, but also among the foremost in times past, when their country was in danger, to peril their lives to uphold her institutions. These States by assuming the position of mediators between the hostile sections, and taking a decided position, and proclaiming to those sectional parties who are now arming for fraternal strife, that they shall keep the peace.

These States, by meeting each other in convention, and agreeing on measures of compromise and adjustment founded on the principles of equal rights and justice to all, and by firmly, yet in a spirit of fraternal kindness, insisting on the compromises so agreed upon as the basis on which all irritating differences shall be settled, can, in the opinion of the undersigned, be the means of preserving the Union, reconstructing it upon a permanent basis, reconciling conflicting interests, and restoring peace and tranquility to the country.

Resolved, by the People of the State of Missouri, in Convention assembled:

1st. That the State of Missouri invites the States of Virginia, North Carolina, Maryland, Kentucky, Tennessee, Arkansas and Delaware, to send Commissioners to meet in Convention with Commissioners appointed by Missouri, at the city of Nashville, Tennessee, on the —— day of —— next, to agree upon a basis of settlement by way of constitutional amendments that will preserve the Union, and afford an adequate guarantee for the preservation of their slave institutions, and the constitutional rights of their citizens, and to take such steps as they may deem necessary to have such amendments presented to the people of the free States for ratification or rejection.

2. That —— be and they are hereby appointed Commissioners to represent the State of Missouri in said Convention.

3. That —— is hereby appointed a Commissioner to the State of Virginia; —— Commissioner to North Carolina; —— Commissioner to Maryland; —— Commissioner to Kentucky; —— Commissioner to Tennessee; —— Commissioner to Arkansas, and —— Commissioner to Delaware; and said Commissioners are hereby authorized by the State of Missouri to present to the proper authorities of the said States, respectively, a copy of these resolutions, and to urge upon them the appointment of Commissioners to the Convention contemplated therein.

Resolved, That the Commissioners appointed to said Convention by Missouri are directed to present to said Convention for their consideration the resolutions commonly known as the Crittenden compromise measures, extending the provisions with reference to territory south of the line, to after-acquired territory, and to say, on behalf of Missouri, that those resolutions, or any other basis of settlement upon which the border slave States can agree, will be satisfactory to Missouri.

The people of the State of Missouri, being satisfied that the plan proposed in these resolutions will (unless interrupted by civil strife) not only preserve the Union, but afford a fair prospect for a reconstruction by bringing back the seceded States; they, therefore, earnestly appeal to the General Government and the seceded States to stay the arm of military power and preserve the peace until the plan proposed can be fully tried. And, to enforce such appeal, they would state it as their settled conviction that an attempt at coercion, under any pretext, would result in civil strife, and forever destroy all hope for the preservation or reconstruction of the Union.

JOHN T. REDD,
H. HOUGH.

Mr. Redd. I desire to present that report as a substitute for the majority report, if it is in order.

The Chair. That would not be in order. The majority report is the first to be acted upon, and in the event of the failure of the majority report, the minority report comes up next, as a matter of course.

Mr. Moss. I now renew my amendment.

Mr. Gamble. If the gentleman will indulge me, I should like to offer a few opening remarks in regard to the majority report. I will state that I consider it due I should do so as Chairman of that Committee.

Mr. Moss. I shall yield the floor to the gentleman.

Mr. Gamble. I am instructed, by those who are acquainted with parliamentary usage, that it is the duty of the chairman of the committee that has made a report on any subject to a deliberative body, to explain the principles upon which that report has been recommended, without going into any extended argument, at first, in support of the propositions submitted to the body, reserving to the chairman the conclusion of the debate, and the presentation of those views at the close of the debate. Simply stating at full length the propositions which have been submitted by the committee: The first proposition which has been submitted is, that at this time there is no adequate reason for Missouri to secede from the Union—that there is no adequate reason for her *cutting the cords that bind her to her sister* States, and that she entertains and will manifest a disposition to compromise all difficulties that now distract the country, and that she will employ all her power and influence to that end. In the beginning, Mr. President, I feel some embarrassment in speaking upon such a question as this, and to a body chosen by the State of Missouri, such as is now assembled. To speak in favor of the Union—of its importance—of the advantages which we derive from it, and of the glory which has been connected with it, to those who have been elected because they are friends of the Union, would seem to be entirely supererogatory. As far as my acquaintance with the gentlemen of this Convention extends, I know of no gentlemen who avow or insinuate, or in any manner *admit that they entertain any unfriendly feeling* to the Union. You may speak to any member of the Convention you please in reference to his position about the Union, and he will proclaim that he is in favor of the Union. How, then, in the introduction of this question before this body, shall I undertake to speak in favor of the Union, when there is a unanimity, an entire unanimity, among all its members upon the very view which I would endeavor to take and enforce. I should continually be under the necessity of repeating to gentlemen the very arguments which I am bound to suppose they used before their constituents, when they were candidates for election to this body. I am bound to suppose that, as they avow themselves friends to the Union, they entertain a deliberate purpose to do nothing that will in any degree endanger the continuance or the permanency of that Union or in any degree weaken the attachment of the people to the Union which is thus enshrined in their hearts. I am bound to suppose this, because I am bound to suppose that those who avow themselves in favor of the Union are sincere—as sincere as I am—as honest in the views they entertain and express as I am in the views I entertain and express, and therefore the difficulty is continually presenting itself to me, how discuss a question in which the friends agree with entire unanimity. If I speak to gentlemen of the Convention of the glories which cluster around that flag—if I speak to them of the pride that every American citizen in every quarter of the globe has in the American Union, I speak but what I am bound to suppose every gentleman fully understands and appreciates, when he says he is in favor of the Union. I speak the sentiments that I am bound to suppose were the sentiments uttered before the people by gentlemen who were candidates for election to this Convention. Therefore, I shall be but wasting time, when, as I see, there is no expression antagonistic to the Union. I should be but wasting the time of the Convention if I should go through an enumeration of the blessings which we, as the people of Missouri, have derived from our connection with the common Government of our country. Sir, we are assembled here as the people of the State of Missouri. The position which we occupy, is a position in itself peculiar. We have our common history—we have the history of our connection with this great Government of which we are a part; we have been the recipients of its beneficent action; we have grown up under its protection, and we have received nothing but blessings from it. I was here before it was born as a State—when it was weak and feeble—when the Indians were on our Western borders, and from whom our extreme frontier settlements apprehended difficulties—and were we left to ourselves? were we left to protect ourselves against the savages who might desire to imbrue their hands in the blood of the wives and children of Missourians? No! The United States, at her own cost—under a National Government, for national purposes, and to carry out national obligations—maintained its own military forts, garrisoned by its own troops at its own expense, for our protection. Does our commerce meet with impediment or obstruction in its national outlets to the ocean? then the United States expends its means in endeavoring to remove those obstructions. She does not leave us to protect ourselves, but freely expends her money, that we may have all the facilities that we may require, in order that our resources may be more rapidly and advantageously developed. To come to our land system. Has she shown any niggardly spirit towards us, or any disinclination at all to foster our highest interests. When the poor man settles his quarter section of land in any portion of the country, and is unable to pay for it, even at a mininiumn price, reduced as it is to a mere fraction of the actual value of the property, what does she do in reference to persons in that condition? She lays her hand upon those who would take this property for their own advancement or speculation, and compels them to yield to the man who has selected a portion of the public domain, in order that he may establish thereon a domicil and rear his children. When we wish to engage in any enterprise to develop the commercial and agricultural interests of the country, and are unable to raise the money requisite to carry out such an enterprise, she says, "Here is a large domain we own within your territories; use it freely; we give millions in order to help you build your railroads," and so, gentlemen of this Convention, all the action that the United States Government has taken in relation to Missouri, and the relations we sustain towards the United States, have been such as to benefit ourselves. Nothing of aggression on the part of the United States, composed as the United States is, of all the States—nothing of a disposition to hamper or crush out the energies of Missouri; nothing of a disposition to leave us to ourselves to encounter difficulties that are liable to arise in every new and growing State; but, on the other hand. every disposition to foster our interests as a State,

Sir, I am bound to suppose that every member of this Convention, as he avows himself in favor of the Union, and as he has avowed himself before his constituents in favor of the Union, will do nothing to estrange the State from the General Government. How then shall I speak further, before a Convention that is unanimously in favor of the Union, in commendation of this fabric which our fathers have reared, and which was bequeathed to us from those who were peerless in wisdom as in valor. In opening, therefore, before the Convention the view which the committee present in reference to the impolicy of taking any steps to sever our connection with the General Government, I shall not detain the Convention in thus opening with any lengthy enumeration of the blessings which have flowed to us from our connection with the General Government. I shall not speak at length upon this subject, as there are others who can speak to the Convention and move the hearts of those who are true lovers of their country and in favor of the government under which we live. I shall expect to hear from members of this Convention, and if it becomes necessary to vindicate the propriety of the resolution we have presented, to wit: That we shall remain longer in the Union—I shall expect to hear that vindication coming from more eloquent lips and with greater power than I can employ before this body at this time.

Mr. President, it is true that there is discord now reigning in what was once, and very recently, a happy family of States. It is true that there has arisen an alienation of feeling and it is true that that alienation is fast ripening into active hostility. But it is because there has been an entire misapprehension of the relations that the States bear to each other—the interests in and responsibility for each other's institutions; and I am glad to believe that a returning sense of the true measure of responsibility that the inhabitants of each State owe to the General Government, and to the inhabitants of every other State—that a true sense of that responsibility is beginning to withdraw from the public mind all over the United States, and at the North particularly, that excitement that has been hurrying us on to ruin. I am glad to believe that in the Border States there is manifest a disposition sedulously to maintain the Union, in order that there may be ultimately and permanently effected an agreement between the extremes, which shall result in the restoration of harmony, and in the perpetuation of this glorious confederacy.

After having passed beyond the question of whether there exists at this time any reason for our severing our connection with the General Government, we come forward to make a declaration of our desire for a friendly and amicable adjustment of all difficulties between the sections who differ in their feelings and views of policy. It is proper that Missouri shall avow this. It is proper she shall entertain such views, and shall do all in her power to encourage those who are divided in their sentiments in regard to the subject of slavery, and some of whom have carried their action to the extent of attempting to sever their connection with the Government. That Missouri shall do all to restore harmony between the conflicting portions of our Union, and bring all back to amicable relations and national prosperity, a scheme has been recommended by the Committee with a view to this object, and that is the calling of a National Convention, in which there shall be assembled the representatives *of all the States* of the Union. You have recently heard read a proposition that would seem to be adverse to the holding of such a Convention, because it was likely to be futile. You have heard a proposition that looks to the holding of a Border slave States Convention. The question has been before the Committee, as you learn by the minority report which has just been read. It did not meet with the favor of the Committee because it was regarded as in itself unnecessary, and involved in the proposition of a National Convention. The National Convention which the Committee recommend, is an assemblage of the representatives of *all the* States, free and slave—all that are in the Union. They come together for the purpose of proposing amendments to the Constitution, and in the present case, inasmuch as amendments to the Constitution are demanded by the Border States, they come to consult upon these amendments and agree on their adoption. The Border States are the States that will demand the amendments—the *whole* are the States that pass upon the question whether that demand shall be granted or not. I say, therefore, that in the present condition of things, when the assembling of a National Convention is for the purpose of agreeing to the amendments that are demanded by the inhabitants of a particular section of the country, that Convention necessarily involves what is equivalent to a Border States Convention. Suppose the members from all the States of the Union assemble in such general Convention for the purpose as before indicated, what then will be the proposition? The proposition to the members from the Border States will be: "Agree among yourselves as to what you want and we will pass upon it." Is not that the natural result of a General Convention, called under the circumstances such as we are now placed in, and having for its object the amending of the Constitution upon subjects upon which there is now division and complaint? If such is the object of that Convention, the first proposition that must naturally arise in the mind of any man participating in it, would be: "You gentlemen who are from the Border States, agree upon any propositions that you wish to submit and then we will take them into consideration, and if we deem them reasonable, we will agree upon them." I say, therefore, that this General Convention involves the idea of a Border slave States Convention with this additional advantage: that there you have assembled the body that is at last to pass upon any proposed amendment and must agree to recommend or reject them. There they are, assembled from all the States, having the power under the Constitution of the United States to pass upon the question whether these proposed amendments shall be agreed to or not. On the contrary, the Border States' Convention is a body of men not known to law and the Constitution of the country, and it *can* do nothing but recommend; it can do nothing but agree upon amendments, which they may *afterwards* lay before a General Convention, for ratification by the whole country. It has no power to adopt amendments; it has no power to act upon any person or law; it has no power to do more than agree upon and recommend the amendments that they may suppose are needed by the Border States. Such being the case, we perceive that by calling a Border States Convention we double the machinery without deriving any new advantage. There is no power to render emphatic what the Border States agree upon. Now, I ask, is it not more wise, more statesmanlike, to agree upon calling together a body which, when it does meet, is recognized by the Constitution, and capable of acting under the Constitution? Is it not wiser and better to call a body whose action, when it goes forth before the people of the United States, shall carry with it a recommendation that no one can resist? Such is the view that has been entertained by the Committee in recommending a General Convention instead of a Border States Convention. We believe that we can better attain our end by consulting the whole people of the United States in a General Convention assembled, than by consulting only one section, and that there is now a disposition manifest all through this country to harmonize and settle existing difficulties, and restore peace and order to the community.

You will notice that the measure chiefly recommended in the minority report, is a Border States Convention. You will also notice that in several parts that report contains the emphatic declaration of an attachment to the Union, and it would seem that the minority who presented it, chiefly bases its claim to the consideration of the Convention on the ground that a Border States' Convention will be more likely to bring about a conciliation and the concerted action of all parties, than the adoption of the majority report. But I apprehend, gentlemen of the Convention, when you come to see the comparative operation of the two bodies; when you see that the one has power to recommend and the other to recommend and pass upon also; when you see that a General Convention involves the idea of a Border States Convention besides offering other advantages—when you see the evils that may arise by an assembling of those who are only on one side, and take only a one-sided aspect, and the good which must result from the commingling of men from all parts of the Union, amicably and fraternally disposed, you will give the preference to the majority report.

The Committee have gone further, taking their position as that of a pacificator, desirous of intervening between parties in hostile array against each other. They have put forth their hands and said to each party; "Stay, be still until we can have an opportunity of settling the difficulty between you!" The Convention, we have taken it for granted, will look upon the policy of the employment of forces, the employment of arms of either one section or the whole government against a portion of the government, as an event greatly to be deplored, greatly involving in confusion and difficulty the differences which now exist between the different sections of the country, and rendering almost impossible the reconciliation of the different parties. It still is a question of policy, not a question of constitutional right, upon which the voice of each part of the United States ought to be heard and considered by each of the parties who now stand in hostile array to each other. Our interests as a State are bound up inseparably with the maintenance of this Union; our sympathies, our personal sympathies, in a large measure, are with the people of the South. Neither party ought to suppose that we would intentionally involve either of them in any compromise for arranging our difficulties that would touch its honor or materially injure its interests. They ought to know that the position which we occupy is one in which we can recognize the existence of any real fraternal feeling in every part of the country, and which enables us to speak the language of conciliation. They ought to trust us, as those who desire nothing but what is for their good. We therefore speak to both parties: "Shed not the blood of your brothers; come not into hostile collision; wake not up the furious passions that burn in the American heart at the sound of the trumpet of war! Wait, wait, until all peaceful means are exhausted; wait until you can assemble in cooler moments, and with all the passions of our being lulled, so that we can rationally consider, and honestly and justly do whatever may be necessary for the interest of any one of the States."

Gentlemen, there is not a more warlike people on the face of God's earth than this American people. Every man is a soldier; even white hairs do not prevent a man from being a soldier. [Applause in the lobby, checked by the President.] I say, therefore, that the strife between the different sections of the American people is a strife such as the world never saw and never will see again, because they will annihilate each other. I say, it is a time when every man who feels pulsating in his heart a love for the American brotherhood to which he belongs, ought to do all in his power to stay the hand of civil war, and it is with that impulse that the Committee here have, in the language of entreaty, not the language of menace, not ranging on one side or the other, but in the language of a body who would be mediators between conflicting parties, said: Shed not each other's blood—let us interpose as mediators, standing between you and recommending what is for your interest and your honor; let us cast all our influence in the scale of justice and right, and we shall at last see harmony and unanimity in this country restored. It is a glorious mission, if we can accomplish such an object.

Gentlemen of the Convention, the proudest moment that ever any one of you shall look back to in your future life, will be when you participated in any act or in any course of action which was calculated to bring back a feeling of brotherhood among the different parts of this American Republic, and when you can still feel that you are united to all its parts, in all its glory, in all its prosperity, and in all its happiness; when, after new glories and honors have clustered around the American flag, you will recollect that you have in any degree contributed to restore harmony among the American people in the past. It will be a feeling that will soothe you, in all cases of disaster, that will comfort and elevate you in all your walks of life.

Gentlemen, I consider that I have sufficiently explained the motives and objects of the committee in submitting the majority report. I apprehend that in relation to the question as to whether we should sever our connection with the Union or not, there will be a unanimous vote against any such course. Such unanimity would indeed be a great force and strength for all the purposes indicated in the report. I deem that I have now discharged the duty of opening the debate, as chairman of the committee, and shall close, reserving to myself the privilege of again addressing the Convention, should it become necessary in the course of the discussion.

On motion of Mr. STEWART, the Convention adjourned until 3 o'clock P. M.

AFTERNOON SESSION.

Convention re-assembled at 3 o'clock.

Mr. MOSS asked that his amendment to the majority report be read. It was read by the Secretary.

Mr. MOSS. Gentlemen of the Convention: In offering this amendment to the majority report of the Committee on Federal Relations, I do not desire to be understood as occupying a position hostile to that report. On the contrary, I contend that the amendment which I offer is in entire harmony with the doctrine laid down in the Committee's resolutions. I duly appreciate the importance of having this report go forth to the people of Missouri, indorsed by an overwhelming majority of the members of this Convention; and my own opinion is, that the fewer amendments we offer to it, the better, provided we reach the points that are desired to be altered in the report.

As I remarked in the outset, I do not consider the amendment just offered as in conflict at all with the main propositions contained in that report. My understanding of that report is, that it places Missouri upon this position: that she believes her fate depends upon the peaceful adjustment of the present difficulties; and this is in accordance with my own sentiments. Holding such sentiments, the resolution I have offered is not at all in conflict with them. We say to the two contending sections, we are standing between you. We believe that our fate depends upon the maintenance of the position we occupy. We stand like the rock in the ocean, rolling back from us the waves that come from the North and the South. We say to our natural allies, our Southern brethren, you must not imperil our condition. Whilst we are struggling to get additional guarantees for the protection of our rights, you are not to assail the General Government, thereby precipitating us into revolution and ruining our cause. But whilst we speak to them in the solemn tone of remonstrance, we likewise say to the General Government, you shall not invade our Southern brethren. If you do, you can look for no aid from Missouri.

Gentlemen, it is urged by some of my friends—even those who occupy the same position in regard to this great question that I do—that it is enunciating the doctrine of nullification; but you should remember that we are in the midst of a revolution: that it is folly to attempt to conceal that idea from the people, and worst of all, it is folly to attempt to conceal that idea from yourselves. And now, I submit it to every man in this assembly, of common sense, to tell me whether Missouri will ever furnish a regiment to invade a Southern State for the purpose of coercion. Never! Never! And gentlemen, Missouri expects this Convention to say so. When our friends in the Northern States—those gallant patriots who, surrounded by our enemies, and the enemies of our common country—have dared to say that they will never lend their aid to the General Government to coerce a Southern State—is Missouri to take a position lower than that? Never! I believe it to be the duty of Missouri to stand by the gallant men of Southern Illinois, who have passed resolutions that they will never suffer a Northern army to pass the southern boundary of Illinois for the purpose of invading a Southern State. I believe it to be the duty of Missouri to come to the rescue of, and back up such men as the gallant Stockton of New Jersey, who has had the daring courage to plant himself upon a like platform. When I go home to my constituents—when I go home to meet the secessionists, I want to go with a weapon in my hand with which I can conquer, and lead the Union men on to triumph at the polls, when they come to indorse what this Convention has done. But, gentlemen, if you send me there empty-handed—if you send me there with a document like that which has been given to us by President Lincoln, about which there are forty different opinions, and leave it for an argument—a learned and ingenious argument—to settle its meaning, I tell you that our defeat will be certain, when we come to submit our doings to the people of Missouri.

But, gentlemen, it is not from motives of this sort, entirely, that I have introduced this amendment; but because I conscientiously *believe* that it is demanded. It does not pledge Missouri to go out of the Union—not at all. I would never dream of such a resolution as that. I do not believe it to be the will of Missouri; but I believe that if the Union is to be preserved, it cannot be preserved by the sword, but by a peaceable adjustment and fair and equitable compromises. And occupying that position, I say it is the duty of this Convention to plant Missouri between these two warring sections, and say to each, you cannot look to us for aid.

That is my position, gentlemen, in regard to that point. Now, so far as the preamble is concerned, which is attached to the resolutions which have been presented to this Convention, I suppose it to be a mere introduction, setting forth the reasons which have actuated the committee in submitting the resolutions, and not subject to any vote by the Convention. I hold that whatever may be our opinion in regard to the preamble, it is the resolutions, and not the preamble that we are to act on. Taking this view, I am indisposed to meddle with that preamble. It is a fine argument, and I agree with the sentiments enunciated therein, as great truths. I have some objections to the way in which they are stated, and do not agree to some of the particulars; but, taking it as a whole, I consider it a masterly exposition of the present state of affairs, and history of the commencement and growth of the troubles now upon us; I am disinclined to interfere with it in any way.

Mr. GAMBLE. The gentlemen is right in saying that the preamble is not strictly before the Convention. It is to be looked upon merely as an introduction on the part of the Committee to the resolutions themselves.

Mr. MOSS. Then I am correct in my position, and I regard the statement of the gentleman who is Chairman of the Committee as a further evidence that this amendment which I offered is not only not in conflict with the report of the Committee, but in entire harmony with it. So much upon that point.

While I am up, gentlemen of the Convention, although, perhaps it may not be strictly in order, yet I will briefly give my views in regard to this whole question. I do not know but what it is in order for me to do so. The majority report is now before the Convention, and I may be indulged in making my remarks, taking a wider range than is strictly included in my amendment. I will state that I have another amendment, which, I shall offer at the proper time. But I will undertake to discuss it now, believing it to be in order.

The CHAIR. The gentleman will not discuss a resolution which has not been read by the Secretary.

Mr. MOSS. Well, I will not say anything about this amendment at present, but confine myself to the majority report. I agree with the position taken in that report—the position taken by my worthy friend who is before me, as the Chairman of the Committee. I believe, gentlemen, that the hopes of the people of Missouri—yea, of the Union, of the Border States as well as of the Northern States—I say, I believe that their only hope of salvation now is with the people; and the sooner we go to them the better. And for that reason I am opposed to all preliminary proceedings by bodies of men whose work, when it is finished, amounts to nothing. I tell you the people have got tired of such things. They are sick, and they want a physician who can heal them.

They do not want to be compelled to swallow any more quack medicine.

It is urged by some of the friends of the Border State propositions, that it would be advantageous to decline, for the present, holding a National Convention. And why? They say, in order that we might present an unbroken front. They say, fix upon an ultimatum. Well, now, gentlemen, I disagree with my friends in that respect. I disagree with them for this reason: if I am dealing with an enemy—and for the sake of illustration, I will call those gentlemen who are advocating "irrepressible conflict" our enemies —and I propose to him to compromise, and I have four or five different plans of compromise; then, if I see that he indicates that he is in favor of a certain one of these plans, and that plan suits me to the letter, I believe that good policy is to meet him at once, and not waste my time discussing the advantages of the other propositions. If I see that he will give me all that I ask, then, gentlemen, I feel it to be my duty as well as my interest, and the dictates of common sense, to accede to it at once. Now, how do we stand in regard to this? Missouri says that she proposes the Crittenden resolutions as the proper basis for a settlement of the question. Do you doubt, that the Border States all indorse that proposition? I presume not. How is it in the North? Why, the Crittenden resolutions stand without a rival. Look at the memorials and petitions that have flooded our National Legislature. What object have they been presented for? Look at the 14,000 names from the city of Boston praying for the adoption of those resolutions.

Now, my idea of the policy of Missouri is this: lead out in this great conciliatory movement. Tell your brothers of the Border States that, believing that a majority of the citizens of the United States are agreed that the Crittenden resolutions present a fair and equitable basis of settlement, Missouri plants herself upon that position, and calls upon the Border States to follow her. There is no doubt but the Northern States can be made to accede to them; and I tell you, gentlemen, we will go into that National Convention with four-fifths of her delegates instructed to occupy them as a basis. That is what we will do, and we will do it without holding a Border State Convention; and I believe, honestly, we will reach that point more successfully by Missouri's taking this ground right at the start, as she has a right to do, and determining that she is not going to hold any further consultation with sister States except in National Convention, and that she will instruct her delegates to the National Convention to stand upon that platform, and will call upon her sister Border States to do likewise. Then, gentlemen, I believe we will go into a National Convention—I mean the friends of compromise—I mean the delegates that come from the people, from whom we look for salvation, will go there as a unit, and I believe all will go virtually satisfied with the Crittenden compromise.

As I remarked before, the impatient people—they are in the habit of traveling by railroad, and talking by telegraph, and they wish to see the great difficulty we have to contend with settled with dispatch. They are impatient. They have forgotten that it took eight long years of bloodshed, and suffering, and trial, to build up this magnificent edifice; and now, because they cannot stay its tottering walls, and re-instate it upon its ancient foundations in an hour, they get impatient and cry out for revolution. Gentlemen, the sooner we can get to the people the better.

If I thought that in advocating a National Convention, I should be instrumental in bringing about a conflict between delegates from the Border States and from Northern States, I would have different views about the matter. I should not advocate it; but I believe our delegates will go there, and the Northern delegates will go there, and a great majority of all will be instructed to vote for the Crittenden resolutions.

Although it may be a little tiresome for me now to discuss the merits of the Crittenden resolutions, much as they have been discussed, yet I hope I shall be indulged, for this reason: that we have these battles to fight over again with the people; and I know the skill and ingenuity and masterly management of our enemies in Missouri; (when I say our enemies, I mean the secessionists *per se*, these gentlemen who think that Missouri's salvation depends upon going out *now*. I want the people of Missouri to understand the force of our position here. I know it will be contended by our enemies, when we have passed these resolutions, that we have done nothing—that what we have done amounts to nothing—and that Missouri has taken no position whatever; that we are submissionists, and all that sort of thing; and, recollecting these facts, recollecting the history of the canvass, and the fight made heretofore, I think it not inappropriate, in this connection, in a short way, to speak of the peculiar merits of the Crittenden resolutions as the basis of settlement.

In order to appreciate these merits, let us ask ourselves, *in the first place*, what are we seeking to remedy? What is it that has terrified the South in regard to the danger of her institutions? Is it the mere squabble about the Territories? Far from it. It is the announcement of the celebrated doctrine that Mr. LINCOLN claims to be the father of the "irrepressible conflict." I know that Republicans interpret that one way, but the South—the men of the South—the men of the slave States—all interpret it another way, and I think their interpretation is right.

How do they interpret it? They interpret it, gentlemen, to mean, not only the exclusion of Southern men from the Territories, and the hedging in of slavery with a wall of fire, as has been remarked by some other gentleman. They may be wrong in this interpretation; but whether it be right or wrong, the general opinion entertained in the South is, that it means eternal and unceasing warfare upon the institution, and that, whilst the Republican party now, under our present Constitution, acknowledge that Congress has no power to invade a Southern State by *legislation for the purpose of interfering* with the institutions in the States, yet, when in some future time they have acquired sufficient strength, they will institute such interference. Whether that idea be erroneous or correct, is a matter I do not propose to investigate. Suffice it to say, that the great object in the outset of this conciliatory movement, is to give the Southern mind peace upon this great question. It is to satisfy them that they need no longer look with anxiety and dread to their Northern brethren.

Now, let us see whether the Crittenden resolutions reach that point. How does Mr. Crittenden propose to remedy the evil? How does he propose to give peace and safety to the South? He says we will amend the Constitution in a certain way, so as to deprive Congress of the power ever to interfere with the question of slavery in a State; and for a further guarantee, we will make that provision in the Constitution like a law of the Medes and Persians, *unalterable*.

Gentlemen, if there be any in this Convention, who are secessionists, (and I hope there are none;) if there is a man here with a true Southern heart in his bosom, who is honest and candid, I ask whether he would propose to offer amendment to that? Could we ask for a stronger guarantee than the one contained in the Crittenden resolutions reaching to that point? I believe, gentlemen, that no other statesman has offered an amendment to the Constitution that suits the people of the South better. We think it is as strong an amendment as we can get.

What is the next point? The next point, gentlemen, is to give protection to the four thousand millions of slave property in the States. You may talk about principles, your Territorial questions, the theory of the Government, and all that sort of thing, but I tell you the men who have labored for a lifetime to build up a little fortune, and have got half of it in slave property, will not rest satisfied for a moment without sufficient guarantees that they can lie down at night and sleep quietly and in safety, and know that no robber dare break in and take their property from them. They want protection for the four thousand millions of dollars of slave property. Now, how does Mr. Crittenden propose to reach that point? Is there any improvement which has ever been suggested upon his plan? What does he propose to do? Gentlemen, you are aware that we have upon our statute book, passed by our National Legislature, the Fugitive Slave Law. What has been the trouble in the South? It was, that when a Southern man undertook to pursue a slave into a free State a mob would arise and take his property from him, and he had no remedy—he was powerless. That needs rectifying. We need a stronger guarantee in regard to that point than we have had heretofore. How are we to get it? Mr. Crittenden proposes that the General Government shall come in with her strong arm and deal with the Northern robber who dares to violate the law. He does not leave the individual to struggle with the law; but he proposes that the General Government should pay the value of the stolen property to the owner, and that she shall undertake to deal with the offender according to his deserts.

Men of Missouri—slave holders—can you suggest an improvement on that? I believe none has ever been suggested that was more satisfactory to the South than that.

Then, gentlemen of the Convention, the two great points are now disposed of. Peace and quiet are restored to the South. They no longer look upon their Northern brethren as enemies, because they have not the *power* to do them injury.

All those startling fears upon which artful and designing men worked in order to carry themselves into power, without reference to the effect that it is to have upon the nation, and which have in a great measure led us to our present unfortunate condition, they are rid of. We put an impassible barrier between the enemies of slavery and the owners of slave property in the States. We deprive the Abolitionist of the power ever to alter the American Constitution, so as to give Congress the power to invade a Southern State by legislation; and we give full and ample protection to the four thousand millions of dollars worth of property in the States.

Well, those two material points are satisfactorily disposed of. The next question, and, gentlemen, the only question remaining to be considered (for I believe that the people of the North agree that we are entitled, under the Constitution, to all those guarantees and to all the protection that we ask, so far as slavery is concerned in the States,) is that of the Territories. Well, what of the Territories? It is unnecessary for me to argue this question at length before this Convention; but, gentlemen, as that is the point upon which our enemies hang the fate of Missouri, I will argue it. That is the great weapon of war in the hands of our enemies. They say all is very well about the States, but the danger lies in the Territories. Well, now, this is not a question entirely of principle, but a question of fact—a question of practicability. You go on to demonstrate to them that the God of Nature has put his veto on the introduction of slavery north of 36 degrees 30 minutes. Yet they will argue with you a day, and say they don't care whether that is true or false—whether the laws of nature have placed impassable barriers between them and that Territory or net; they will maintain that the abstract principle is right, and that there should be no concession upon that point. They say the Revolution was fought on a preamble, and they talk about a *principle*. Well, I apprehend, whenever the people can understand this principle in a practical light, they will make but poor headway with that principle. They insist that they have the right of going into any Territory and occupying every foot of ground that the God of Nature will allow them to occupy, and that they are not willing to abandon that right in any instance whatever. That is the argument of the secessionists.

Well, what does that amount to? it amounts to just this—our Northern brethren now, and I believe it sincerely, will give us the Crittenden Resolutions whenever we can get at the sense of the people in a National Convention; they will give us guarantees for the protection of slavery in the States; they will give us this impassable barrier to prevent men, hereafter, from carrying the war into Africa; they will give us protection for every foot of territory where you can take slavery according to the laws of Nature; but the Secessionists say we will surrender all these guarantees offered us, and for what? for the sake of asserting an abstract principle that is barren—a right that is a barren abstraction—and they say further, that they consider this compromise altogether on one side, that we give up every thing, and that we get nothing.—Why, gentlemen, is that the manner in which the thing suggests itself to you; and right here, at the risk of being—as I remarked before—a little tedious, I will go slightly into the past political history of our country on the subject of slavery, and shall take, to some extent, the same line of argument pursued a day or two since by the gentleman from Clinton—Judge Birch. Let us look to the national legislation of the past, and see whether or not this is not a compromise we are getting. It will be remembered, and I will pass very rapidly over the history, that in 1820, Missouri sought to come in as a slave State but was opposed, but at last she did come in with her magnificent domain. Time rolled on, and Texas with her magnificent empire sought to come into the Union. It was still opposed by men of the North, with the exception of those of our Northern friends who have always been willing to stand by our Constitutional rights, and they agreed to admit her. How? Texas has a territory of three hundred millions of acres of land. And what were the conditions prescribed by Texas? They were that she should be admitted with the right to divide her territory into four great States, and she has the right to-day if she is not out of the Union. It was a part of the contract, as you will observe by reading the proceedings of Congress in 1845, and further, by reading Webster's great speech on the compromise measures of 1850, where he takes that ground and says: "Texas to-day has the right to divide her magnificent Territory into four slave States, and that it is a part of the contract under which she was admitted." Well, gentlemen, time rolled on, and New Mexico and California sought to come in. The same enemies in the Northern States attempted to prevent the admission of those Territories, and what then took place? Why, the immortal Clay came forward and offered a resolution which embodied the celebrated doctrine of non-intervention, by means of which men of the slave States, with their property,could go into those territories and stand side by side the men of the free States. By and by our Southern brethren said to the North, this will not satisfy us. Your citizens have been encroaching upon us, and making war upon our institutions, and robbing us of our property, and we have no remedy. Give us the Fugitive Slave law. They did so. And while a Northern man was in the Presidential chair they executed that law. That was not all. Time rolled on again, and in 1854, when Kansas and Nebraska sought to come in, what was done then? Our Southern brethren said this celebrated doctrine which was enunciated in the compromise measures of 1850, the doctrine of non-intervention, is cramped and trammeled in its full operation on account of the old Missouri Compromise, and we now ask you to do what by right and justice you should do to us. We ask you to remove the old Missouri restriction and give the people of the South the right to go into the common territory and say what institutions they shall have. Did they refuse? No, they gave it to us. What was done then? It was then sought to take the power of legislating on this subject of slavery in the Territories, as I before remarked, out of the hands of Congress. Our Southern brethren said: Take this away from Congress, and give us all a fair opportunity—Kentucky, Louisiana and Arkansas—and give us an opportunity to go there and take an equal chance with our Northern brethren, and let the people decide. We did go into Kansas Territory and passed laws for the protection of the slave, as we did in New Mexico, and which now stands on our statute book. That is the way the thing stands. I am now reciting this history for the purpose of showing that this is a compromise. I understand a compromise to mean a yielding up on the part of both sides. Now, all this was right. I do not claim that the North has given us anything that we are not entitled to; but this Kansas-Nebraska bill was given to us upon our solicitation, and upon that platform we elected James Buchanan, a sworn friend of the South, by an overwhelming majority, and the astonishing spectacle is now presented that notwithstanding all this seven of our Southern brethren have deserted us and gone out of the Union. I undertake to show you that the propositions contained in the Crittenden resolutions in reference to the territory are, in the truest sense of the word, a compromise, and I think I can demonstrate it. We have asked the fugitive slave law, and it was put upon our statute book. We asked that the power to regulate slavery in the territories be given to the people from Congress, and what do we find? We find that we cannot be protected in the territories—that the arm of the territorial legislature is too weak—that our Northern enemies, those who are really our Northern enemies, have three men to our one, and that they can fill the territories and rob us of our protection. Now, what do we ask? We ask that this power shall be placed back in Congress; that it shall once more be restored to the General Government that she by her strong arm shall give us protection. Suppose they do it, don't they give us something? Don't they yield us something? Certainly; and, I contend, just what we are entitled to. We now ask that we shall not be left to our enemies who get the power in the Territories, but that the Government shall come to our rescue. Suppose they give it to us, is it nothing? But they tell us about the guarantees they gave us for slavery in the States. There is the Fugitive Slave Law, and all you can ask. We are not responsible for its execution. The President has the power to execute it, and we have done all we can. We say we admit that, and ask you to do more—to give us a remedy that will be of some practical utility to us. We ask you to let us go into this Territory with our slave property, and claim protection of the General Government. I do not know what other men's ideas of compromise are, but that fills my idea exactly. And mind you, when I say all this, I don't mean to say that they yield one thing that we are not entitled to. We are entitled to it all, and we should take it in the spirit of compromise. I have deemed it proper, gentlemen of the Convention, to detain you thus long in the discussion of my views in regard to the Crittenden propositions. I have done so for the reasons that I suggested at the outset, that—

The Chair. I will say to the gentleman that he is out of order in discussing the Crittenden propositions, and has been to my full knowledge, but it has been my disposition to indulge him, and I hope the Convention will indulge him. He has cut off the whole merits of the subject by offering an amendment to a particular clause in the report. There being no objection, the gentleman will have leave to proceed.

No objection was made.

Mr. Moss. I thank you, gentlemen, for the indulgence. I was aware of the fact, but as I stated at the outset that I did not contemplate again occupying the time of the Convention, I desired to say what I thought in regard to the whole question. Now, gentlemen, as I remarked in the outset—

[The speaker was here interrupted, by some one in the audience being seized with a fit. After the excitement had subsided he said:]

Gentlemen of the Convention, I take the position I now occupy for the reason that I have intimated: I have faith in the Northern people. As I remarked a few minutes ago, and as my worthy friend from Clinton remarked, we have never sought any protection at their hands that they did not grant, and when I say this, I do not mean the Abolitionists of the North; I do not mean the men who avow no compromise and hostility to the institutions of the South, but I mean the noble patriots who have been willing to stand by the constitutional rights of the South in all times; but men now talk that they have no sympathy with Northern men; they are too apt to class all Northern men alike; they say our sympathies are altogether with the South. Do you know, gentlemen of the Convention, that in November, 1860, there was a quarter of a million more votes polled against Mr. Lincoln in the North than in the South? Are these noble men who stand up in the midst of your enemies, to suffer martyrdom? Have they no claims on your sympathies? Have you no hope of the vindication of your rights, and of obtaining additional guarantees from those noble men who are now struggling for you in the free States. Turn to the past history of the country, to which I have referred, and remember that you have a stronger army fighting for you in the free States, than you have in the South. Such is the fact, and no man can deny it. Gentlemen who are without hope, and who have no confidence in the Northern people. I ask you to examine the result of the election of 1860, and see what a revolution you have got to produce. Take each State, and see how many votes you have got to take from the Republican party to add to the friends of your Constitutional Rights party, and see what a revolution you have got to work. Some time ago, while I was making a canvass in my District, I took the trouble to do that; and right here I will state my position in regard to our Southern brethren withdrawing from us. I know gentlemen on this floor will say it is no use now to talk about these things; but, gentlemen, I think it is. I think it is proper that the people of Missouri should understand this question, as how we stand and why we stand as we do. Our sisters in the South, without consultation with us, took the liberty of going out of the Union and inaugurating a revolution, and left us to our fate. I regret that. While I am disposed to complain of them for their arbitrary action, yet I am not disposed to abuse them. But I think a calm, dignified and firm action of the people of Missouri should be taken in regard to the circumstances that have led us to our present troubles. How did we stand upon the election of Lincoln? It was known that his hands were tied—that Congress was with us. How did it stand in regard to adopting constitutional amendments? How would it stand to-day, in regard to the adoption of the Crittenden resolutions, if all our wandering sisters had staid in the Union? Gentlemen, I believe it would require but just eleven free States to give us a constitutional majority to adopt amendments to the Constitution. But they have gone out, and how do they leave us? They leave us so that we are now compelled to get fourteen of the Northern States, to get a majority of those left, and a still larger number to get three-fourths of the original States in order to amend the Constitution. But look at the returns of the November election, and see the revolution necessary to be made, and you will be astonished; for you will remember that when you take from the Republican side, and add to our side, the thing counts double. You will perceive that in order to get three-fourths of the States, you would not have to make a revolution exceeding 10,000 votes in any State, except Pennsylvania and New York. Don't you believe that revolution has already taken place? I do, and it is for that reason that I would go with confidence into a National Convention; but I want the delegates to that Convention to come from the people; and I intend to offer a resolution, at the proper time, reaching that point—that we ask that to be done, and why? Because I don't want to go through a solemn farce like that which was enacted a short time since in the Peace Congress. I have no faith in delegates sent from Abolition Legislatures and Governors, who go to meet secession delegates from secession Governors and Legislatures, [applause;] and I, for one, have never staked my hopes of salvation in the hands of such men.

The Chair. The Sergeant-at-Arms will attend to his duties, and will clear the galleries, if there is any more cheering.

Mr. Moss. The question was put to me on every stump, by every Secessionist, Will you not be willing to go out if this Congress fail? No, gentlemen, for I look for it to fail, and, as a distinguished member told us the other day, Northern men came there with the idea that they had to sustain the Chicago platform, without reference to any other question. I am opposed to Missouri going into a Convention composed of delegates that shall be sent by any Legislature now in existence. But, say the Secessionists, your hands are tied; these Legislatures that are now in existence won't send delegates to a National Convention. What are you going to do? Are you going to wait? Certainly I am. It took eight long years of blood and suffering to build this Government up, and I think it is worth twelve months delay or two years or five years to preserve it. And if these Legislatures refuse to send delegates there, and refuse to submit this question to the people; if members of Congress refuse to do their duty and refuse to give the people what is right, I am in favor of waiting; but I don't want Missouri to go out. I want her to wait until she can reach our Northern brethren at the ballot box Then, when they turn their backs upon us and say they are no longer our brethren, then there will be time enough for Missouri to talk about going out of the Union. I am not inclined to break up this Government because a few unprincipled politicians have got into our legislative halls by swindling the people, or because they refuse to give us our rights. I will stay in it until we can reach the people, and never raise my voice for secession until our Northern brethren have declared at the ballot box that they will no longer live with us as brethren. Then there will be time enough for Missouri to talk about going out.

I know that political leaders of the South tell us that we cannot come together again, and my friends ask me if I have any hope? Yes, I have. I have faith in the people of the South, but I have none in their political leaders. I have faith in the people of the North, but I have none in their political leaders. And I have a hope, it may be a sort of forlorn hope, a bitter hope, but it is this, that if these peaceable remedies fail, that at last the people, when they come to realize the fact that they have been trodden upon and oppressed by a set of unprincipled political tyrants, that they will rise up and trample these men down and upon this bloody ground plant the old national banner. This is my hope. I look to a reconstruction of this great Republic.

I had to-day a conversation with a very intelligent gentleman lately from the South, and a gentleman who is very warm in his attachment to the South, and he stated to me a fact that I have always believed, and that is that a large majority of the people of Louisiana, the day she went out of the Union, were against secession, and I tell you, men of the border States, you form the great backbone, the vertebral column, to which are attached these Northern and Southern ribs—some of which have been broken off, but they will be reunited, I trust, despite the enemies of the country either North or South. I tell you, if you could get an adjustment of this question on what the Crittenden resolutions propose, we can once more be at peace. In spite of the agency of Orr, Jeff. Davis or others, there will be found men at the South who will build up Union parties that will revolutionize the South, and they will come back. They will stand out just as long as they can stand, and then they will rise up and bury their oppressors. God grant the day may soon come!

Gentlemen, a reign of terror is prevailing there. No man dare open his lips in favor of the Union, and men who have shed their blood upon the battle field, statesmen who have contributed empires to our Southern States, have been denounced in the South as traitors, and I declare my blood ran cold when I read the denunciations of those noble patriots. Look at Sam Houston—a man who, by his military prowess and statesman ship, has added to the Southern galaxy that great empire, Texas—Sam Houston! Look at the traitor Wigfall—yea, I say traitor—talking about riding Sam Houston on a rail, and running him from a territory that he gave to us but a few years since. Sam Houston! a man who has shed more patriotic blood on Southern soil, and in defense of Southern territory than ever flowed in the veins of all the traitor Wigfalls that ever lived. That is the way the thing stands at the South.—Noble men and patriots are denounced because they dare to love the Union. I tell you that reign of terror must have an end—it has had an end in all its past history. The history of the revolution in France, and of the world, point to a certainty that a revolution will overwhelm those who stand between the people and what they want. Gentlemen, I have occupied your time long enough. In conclusion, I only desire to state that I hail from a county where Lincoln did not get a vote, and where the secessionists got less than two hundred. My constituents are Union men, and they indorse my position, and they believe that all Missouri has is staked on the die—that she must have a peaceful settlement.—They do not want to go out of the Union, but they ask that their honor shall be safe in your hands. We occupy the middle ground, and we can extend to both sections a friendly hand, and say we want peace, and our salvation depends upon it. I hope the resolution will meet with a favorable reception.

Mr. Donnell offered an amendment to the amendment, which being declared out of order he withdrew, for the purpose of offering it at the proper time.

Mr. Hall, of Randolph. I concur in most of the remarks made by the gentleman from Clay, (Mr. Moss,) but I am opposed to that resolution. I do not believe the fate of Missouri depends upon the question of coercion, but I do believe that the restoration of this Union may be brought about, and I am therefore in favor of the resolution reported by the Committee, which opposes coercion on the ground that it would destroy the hope of a reconstruction. I do not believe the fate of Missouri is dependent upon the action of the States out of the Union, nor am I willing to take any action that shall tie me to their fate. They have selected their own course, whatever its results are to be to them, and however much I may deplore it—however much I may desire them to be restored, yet the course they have taken I am not prepared to take for Missouri; nor will I take a position which will draw me into the path which they have taken The gentleman says that we should show as much spirit in resisting coercion, as our brethren of the North. Threats of resistance to coercion coming from the North, have a good effect, but coming from the South, they have a far different effect. Coming from the North, it shows they are willing to assume the part of pacificators, but coming from the South, it comes in the nature of a threat—and we have had too much of that. If the Federal Government calls upon us we must discharge our duties to that Government. Sir, I will not take the position that I am in a Government, and yet intend to resist its laws. I think it is not the proper course for this Convention to declare, this sentiment, whatever they may think the action of Missouri should be. I will not make a pledge now which by a possibility can be construed to the effect that we will fight for those who have placed themselves in the position of enemies to our country. Suppose there is a Constitutional demand upon this State, and an attempt to enforce it, what are we to do? Are we to resist, and, if necessary, by arms? What, then, is the consequence? Why we declare that peace is essential, and yet, for the sake of peace, inaugurate civil war—inaugurate the very thing we attempt to avoid, and we ourselves inaugurate it for the purpose of avoiding it—it involves a practical absurdity. Mr. President, it would produce a great excitement throughout the Southern States if coercion were resorted to. Coercion, in the sense in which it was understood when this question first began to be talked of, is a different thing from what it means now. We now have constructive coercion. We now hear that Maj. Anderson's holding on to Fort Sumter is coercion, and that South Carolina, in taking Fort Sumter, is but acting in self-defense, is but resisting coercion. Now, if I do not mistake the feeling of Missouri, as between South Carolina and Major Anderson, the sympathies of Missouri are in favor of Major Anderson; and I will make no pledge that the people of Missouri will take up arms to resist the General Government, in defendidg Major Anderson in the discharge of his duty.

Mr. President, it seems to me that this resolution is at variance with the whole scope and spirit of the resolutions adopted by the majority of the committee. If I understand the scope of their argument it is this—that we are not to resort to revolutionary remedies so long as we have a means of protecting our rights within the limits of the law, and we have reason to believe that we can have our rights protected within the limits of the law, and therefore there is no cause for revolutionary action at this time. That is the spirit of the resolutions reported by the majority committee—that we recommend subordination and the noble spirit of submission to the laws. But as I understand it in the resolution now before the Convention, we pledge ourselves to insubordination,—we place ourselves on ground which is wholly at variance with the spirit of the majority report. In that report I believe we take the only tenable ground that can be taken; that revolution should never be resorted to while there are means of preserving our rights in the Union. We have taken the ground and set the example, and I want to see no resolution introduced at all at variance with that or which is calculated to set the States example of insubordination. We take the high ground of mediators, and place ourselves on the impregnable basis of maintaining our legal rights by legal means while these legal means exist. I say our position as mediators depends upon the position we occupy before the country. If we occupy the position of threatening insubordination, it will weaken the moral influence which we shall exert in that capacity. I am, therefore, opposed to the resolution.

Mr. **Redd**. I desire to say a word or two on this amendment. If I understand it, it is this: that Missouri shall not furnish troops to the seceding States nor troops to the General Government. I am opposed to the passage of that amendment. I am opposed to it because I do not believe it speaks the voice of the people of Missouri. The people of Missouri love the Union as much as any people within the limits of this Union, and while the people of Missouri are willing to wait for the preservation of that Union, as long as there is a reasonable hope that it can be preserved, yet I believe the people of Missouri have made up their minds upon the subject embraced in that resolution. They have made up their minds, not as the gentleman from Randolph would have it, that they would aid the General Government to coerce their sisters of the South; not that they would respond to any call to march upon Southern soil to shed the blood of Southern men, because these Southern men have been driven out of the Union by the violation of their Constitutional rights. That is not, in my judgment, the determination of the people of Missouri. The gentlemen says we have an adequate remedy by the law. Has that been true and is it true? I know that it is not. If we had an adequate remedy by the law our Union would not have been in danger. In my judgment the people have made up their mind, and they have made it up to use every effort to preserve the Union in every way in which it can be preserved. It cannot be preserved by coercion; it cannot be pinned together by bayonets; it cannot be cemented by blood; it can be preserved only in the way in which it was made by compromise and concession. In that way the people of Missouri desire and will labor to preserve it. But if the General Government following out the course indicated by him who has the control of its affairs—if the General Government attempts to send troops upon Southern soil to retake the forts now in the hands of those States—to retake the Custom House, either for the purpose of collecting the revenue, or for any other purpose—I say if the General Government does that, the Union is gone. If it is dissolved; a re-construction is impossible; because between these gaping sections there will be a gulf of blood. In my judgment Missouri has made up her mind, and her determination is that if the General Government will not wait until the country can save the Union by concession and by compromise, her determination is to take her stand by the side of her Southern sisters; having failed to obtain her rights; having failed to have any guarantee from that great anti-slavery party that has hitherto trampled under foot the Constitution; having failed to obtain this, her determination is to take her stand out of the Union—to take her stand with her sister border States; and when they go, they will take with them that Constitution they never have violated. They will take with them that glorious banner that they have baptised in the blood of a hundred battle fields, and if necessary, under its broad folds they will fight for their rights and institutions as their fathers fought, until the last drop of blood be spilled. In my judgment that is the determination of the people of Missouri. It is true, it is not the determination of all, for Missouri has within her broad limits thirty thousand men belonging to that party that has assailed the Constitution. If they are to control her destiny, if she is to remain in this Union at the sacrifice of her institutions and her rights, I have but one thing to ask, and I ask it as a matter of justice, that she change the device of her coat of arms—remove from it the grizzly bear, for its rugged nature was never animated by a craven spirit, and substitute in its place the fawning spaniel, cowing at the feet of its master and licking the hand that smites it. Missouri, in my judgment, will never take that position. I know the people of Missouri. I know the Southern men of Missouri, and I know that if it should ever arrive at that period when she has struggled for her rights, when she has tried every expedient to which hnoorable men can resort to preserve the Union, our institutions and our rights in the Union—after she has done that, if the question is then presented to her to submit to have the Chicago platform and the dogmas of this Republican party substituted in the place of the national constitution, to submit and surrender her institutions at the bidding of a sectional party or go out of this Union—I know what Missouri will do, and the heart of every Southern man will tell you what she will do, that is, that she will go out of the Union. To one construction of this amendmentI I have no objection. I have not the slightest hesitation in saying Missouri would not furnish any force to any seceding State to make war upon the General Government. She would do no such thing; and I have no hesitation in saying she would furnish no force to the General Government to make war upon the seceding States. I have no hesitation in saying that. If that be the extent of the amendment I give it my hearty approval; but if it goes further, as I understand it to go, and takes the high ground, that when a conflict occurs that Missouri will be found fighting under the law and command of Abraham Lincoln, then I cannot go for any such amendment, because Missouri will never do it.

Mr. Doniphan. As very few gentlemen seem to understand the amendment, and as it is late in the evening, I move that the House adjourn till to-morrow morning, so that the resolution may be printed.

Before putting the motion, the Chair laid before the Convention a communication from the State Auditor, together with an opinion of the Attorney General, to the effect that he did not feel authorized to pay out any money to meet the expenses of the Convention unless authorized to do so by special act of the Legislature.

A communication was also presented from Chief Engineer Sexton, inviting the Convention to witness a display of the steam fire engines.

Adjourned.

TENTH DAY.

St. Louis, March 12th, 1861.

Convention met at 10 o'clock.

President Price in the Chair.

Prayer was offered by the Chaplain.

The journal was read and approved.

The Chair announced the further consideration of the amendment to the fifth resolution, in the majority report of the Committee on Federal Relations, offered by Mr. Moss, to be in order.

Mr. Norton. Mr. President, I have not anticipated to engage in any discussion which has been elicited by the introduction of the amendment offered by my colleague and friend from Clay. Nor do I now propose, in the remarks which I shall offer, to depart from the subject which is properly and legitimately before this Convention, for its consideration and determination. I came here, sir, not to talk, not to speak, but to represent, in part at least, by my vote, a constituency as loyal to the Union of these States, as unwavering in their patriotism, as devoted, sir, to the peculiar institution of the slaveholding States, as any constituency represented on this floor.

I propose, sir, to consider first the original resolution to which the proposition of my friend is offered as an amendment, to enable me to demonstrate with more facility and clearness the reasons which shall operate on and control me in my vote *for* that amendment.

That resolution, sir, enunciates that the employment of military forces by the Federal Government to coerce the submission of the seceding States, or the employment of military forces by the seceding States in assailing the Government of the United States, will inevitably plunge the country in a civil war and entirely extinguish all hopes of an amicable adjustment of the fearful issues now before the country. Therefore, we earnestly entreat as well the Federal Government as the seceding States, to withhold and stay the arm of military force, and on no pretext whatever to bring upon the country the horrors of civil war. This, sir, is the resolution, as originally reported by the Committee on Federal Relations, to which now there is pending an amendment. It enunciates, sir, that if war is inaugurated by the Federal Government, or inaugurated by the seceding States in assailing that Government, we are plunged in civil war, and that all hope of peace is extinguished and forever gone. Sir, to the sentiment enunciated in this resolution my mind gives its most hearty and cordial assent.

If the course indicated in that resolution be pursued either by the Federal Government or by the seceding States, we become the subjects of two of the greatest calamities that can ever befall any people or any nation. We should present, sir, to the civilized world, the spectacle of a people with the freest and best government ever organized for men, pulling it down, tearing it asunder, breaking it up, and inaugurating and substituting in its stead wild confusion, anarchy and misrule, while the other nations of the globe, oppressed by despotism, aristocracies and monarchies, are attempting to pull *them* down, and establish and build up what we have blindly, ah! blindly, gentlemen of the Convention, been throwing away. Yes, sir, *blindly throwing away*, by inaugurating civil war, and lighting up its red flame, and causing it to rage like a tempest of fire from one end of this confederacy to the other, desolating the land, and tinging the waters of our own Missouri and of the mighty Mississippi with the blood of our countrymen, to whom we are united by ties of a common country, common kindred, common hopes and common destiny.

Mr. President, I do not desire to live to see that day. I do not desire, sir, to live to see the time when we shall become denationalized, unchristianized and uncivilized, by the horrors of a civil war; nor do I believe that there is a single, solitary gentleman upon this floor, nor a gentleman in the State, who would desire to see such a result. The calamity which will be brought upon us in consequence of the inauguration of war by either section, is a fearful one, and the dictates of patriotism require us, as representatives of the sovereigns of Missouri to pursue in this Convention such a course as will best prevent that fearful calamity from taking place.

Now, sir, the next sentiment enunciated by this resolution as resulting from this state of things is this, that all hope of a peaceable adjustment of our troubles will be entirely and utterly extinguished if this state of affairs should come upon the country. Why, sir, a *man* without hope, bereft of that animating principle which impels him to action, with the future before him dark and dreary and blank, full of nothing but wretchedness and woe, would be an object for the exercise of our profoundest pity and sympathy. In individual cases such a condition would be deplorable in the extreme; but how much more so when applied to a nation. A nation, sir, without hope, presents a spectacle which I will not contemplate, and a picture which I will not attempt to paint. How much more, then, does this hold true to a *nation!* Sir, we are told in this resolution, not only that hope would be extinguished, but that it would be *entirely* extinguished; and not only that hope would be extinguished and entirely extinguished, but that *all* hope would be entirely extinguished! I believe that that sentiment is true—I do believe that all hope would be extinguished.

Now, sir, how is it proposed to prevent these two great calamities from falling upon us? Why, sir, Missouri, with a larger number of fighting men within her borders than any slaveholding State, sends out, through the original resolution, her voice of entreaty to the Federal Government and the seceding States, asking them to put back their swords in their scabbards, to dismantle their guns and keep the peace, while Missouri, in conjunction with the Border slave States, will attempt by every lawful and constitutional means to restore the Government back to what it was in temper and spirit in the time of our fathers, who made it. This, sir, is well, and I believe that the voice of the great State of Missouri, containing within her borders one hundred and twenty thousand bold and valiant soldiers, ready and willing at all times and under all circumstances to do their duty in the cause of justice, truth and right —I believe, sir, that such a voice will be heard, especially so when Kentucky, the mother of Missouri, and Virginia, her grandmother, have added their united voices to the sentiments which are expressed in these resolutions. It is a step in the right direction, and if the amendment of my colleague had *any* degree of antagonism in it to the propositions contained in the fifth resolution, I should feel it to be my duty to oppose its adoption upon this floor. If, sir, that amendment destroyed the harmony of the resolution, marred its beauty or destroyed its principles, I, sir, would not be found here to-day advocating its passage, but would be found in my place asking this Convention to vote it down.

What, sir, does it propose? It proposes, in addition to entreating for peace, to send it out as an expression of the opinion of this Convention that, if our Federal head and the seceding States should disregard, spurn, contemn and despise the entreaty, and, like the war-horse, rush madly and blindly into battle, Missouri would not be engaged in the fight. That, sir, is the sentiment—that is the principle which I understand to be enunciated in the amendment. That Missouri would not be found in that contest either with her men or her money; that if she were in that contest, it would be as a pacificator endeavoring to part the combatants and put out the flame, instead of adding fuel to the fire. Gentlemen of the Convention, do you not believe that that is the sentiment of the people *you* represent on this floor? I do.

I now, sir, desire to draw an argument in support of the passage of this amendment from the Inaugural Address of President LINCOLN. In that document is contained the following language:

"I, therefore, consider that, in view of the Constitution and laws, the Union is not broken, and to the extent I am able, I shall take care, as the Constitution itself expressly enjoins, that the laws of the Union be faithfully executed in all the States. Doing this I deem to be only a simple duty on my part, and I shall perform it so far as practicable, unless my rightful masters, the American people shall withhold the requisite means, or in some authoritative manner direct the contrary."

Now, sir, I deem it but an act of justice on my part to the President of the United States, here to declare in my place that I do not regard this Inaugural as a war document. While it may proclaim *in principle* force, it disclaims utterly and entirely in my humble judgment *war in practice*. I believe, sir, that it is a peace document; I cannot say, sir, how that Executive could have said much less than he has said in that document. In the extrct to which I have called the attention of this Convention, there is a plain indication on the part of the President, inviting an expression from the people of the United States in regard to the policy that he should pursue in carrying out the theory which he declares. The President says that he will deem it to be his duty to execute the laws in all the States unless the requisite means are withheld by his masters—the American people. Now we compose, to say the least of it, Mr. President, *a part of the American people*. We have a right to speak and our voice ought at least to be heard if it is not considered. This resolution proposes to speak to the President of the United States and impart to him this information that in the opinion of this Convention, if he does inaugurate war, Missouri will, so far she is concerned, withhold the requisite means to carry on that war.

believe, sir, waiving the question which was raised yesterday by my friend from Randolph, (Mr. Hall,) that it involves or implicates the doctrine of nullification—waiving that question, I state here in my place as a question of fact, that I believe that resolution announces precisely what will be the result in the event of this war taking place. Another reason, sir, and to my mind, a powerful reason for the adoption of the amendments offered by my friend, is found in the fact that in the Northern States there is a large body of sound and conservative men who have always been willing to discharge every constitutional obligation which has been imposed upon them. They have said to us in many of their State conventions that if war should be inaugurated by the Government of the United States against the seceded States, that they could not be found engaged in that war, either by their men or money. Now, sir, if these questions, which are agitating and troubling the country are ever to be brought to a solution, we must not refuse the hand which these gallant men are now extending; we must not repel them; we must do nothing upon this floor that would strike these gallant men down and place them completely and utterly in the power of their foes. Vote this amendment down and what will your friends across the river in Illinois, who have stood up in Convention and declared, as I am informed, and believe, sentiments as strong as those uttered in this amendment; how would that vote strike upon the ears of those friends, and in what condition would it place them? Shall they be told they have been repudiated by Missouri, certainly one of the largest States in the Confederacy, and more deeply interested in this question and the preservation of peace, than any other slave holding State in the Union? I am opposed, sir, to placing them in that condition. It was not my design sir, nor my purpose, to proceed in this debate without limitation. It has been my object to confine myself strictly to the proper subject before the Convention. I think I have done so, and have given the reasons which induced me to favor this amendment. I do not like the wording of the amendment, and that was one objection urged by my friend from Randolph. I would prefer some slight verbal changes, but I am willing to waive all these trifling objections, and expect to give it my vote.

Mr. **Hall**, of Buchanan. I indorse most cordially the views which have been presented by the gentlemen from Platte (Mr. Norton) and also by the gentleman from Clay, (Mr. Moss,) and I trust before I conclude my remarks I may claim their votes against this amendment. They have told the Convention, that when they could be made to believe that the amendment offered by the gentleman from Clay was in conflict with the tenor, purpose and spirit of the report of the Committee on Federal Relations that they would be the first to vote against it. I claim, and demand that they shall act up to their pledge. What is the spirit and scope and meaning of the report of the Committee on Federal Relations? It is that in the opinion of that Committee we should undertake to take care of the present. It is that we should pass no censure on the past—that we shall make no pledge in reference to the future, but that if we can take care of the difficulties which now surround us it will be as much as we shall be able to accomplish. We, therefore, sir, in the resolution which we have had the honor to present to this body, have declared what the gentleman from Clay and the gentleman from Platte admit to be true. We have declared that in our opinion the inauguration of civil war, either by the Federal Government or the government of the seceded States, would be destructive to the welfare of the American people, and therefore we appeal, therefore we entreat, and therefore we demand of the Federal Government, and the State governments, that they shall stay their hands.

Sir, as to the future we have not thought proper to speak; we know not what circumstances may surround us six months hence. What may be proper to-day, may be improper two weeks hence. We, therefore, have said, for the present and under existing circumstances, that we believe our duty to be to preserve the peace of the country. The motives which impelled us to that conviction are manifest. We did not believe under the existing circumstances that it would be possible to execute the laws in the seceded States. You can only execute the laws of this country, under the Constitution, by civil process and by means of a civil tribunal. All the armies you can march on earth cannot, under the Constitution, execute the laws of the land. If you want to execute the laws in South Carolina, you must have a judge, a marshal, and a grand jury to indict, and a petit jury to convict. And while South Carolina is in her present condition, you can find no man in that State who will hold civil office under the Government; you can find no grand jury to indict men for violating the laws of the United States; nor a petit jury to convict men after they are indicted. And therefore, in the opinion of your Committee, it would be folly to undertake to execute the laws there. The Committee believed that the true policy was to conciliate the people of those States, treat them with kindness, yield to their demands if necessary, and restore them to their former friendly relations to the Federal Government if possible; and then, and not till then, can you execute the laws of the United States.

And there is another consideration. We know, sir, that in the present state of excitement, any attempt to force civil officers upon the seceding States for the purpose of executing the laws, would meet with opposition—and not merely from the seceded States, but from every State in the Union to a greater or less degree. The very moment a hostile gun is fired in the seceding States, you will have civil war in every State of the Union, and destruction to the Government and to our institutions will follow. Believing this, your Committee—friends of the Union—asked for peace. But the gentleman from Clay says we must go further than that—that we must not only, as patriots and friends of peace, beg the Government of the Union and the Government of these States to stay their arms, but that we must couple the demand with a threat, and that we must declare to that Government if it does undertake to embroil the country in civil war that we will not furnish men and means to carry it on. Stripped of its verbiage, what does it mean? Nothing but this: That if the Federal Government becomes involved in a war with the Governments of the seceding States, Missouri will secede from the Union. How do the people of Missouri furnish means to the Federal Government? Why, the means of this Government are chiefly derived from the customs.—The Government gets its money by collecting its duties at its Custom Houses. There is where the Federal Government derives its resources, and as long as the State of Missouri remains in connection with the Federal Government, its duties will be collected from our citizens. But if we intend to carry out the threat contained in the proposition of the gentleman from Clay, the first thing for us to do will be to secede from the Union and seize upon the Custom House of St. Louis. I am not willing to commit myself to any such position. I know not what I may be willing to do when that dire catastrophe shall come; but when civil war rages through the land, I want the people of Missouri to be free, to do just what they believe their honor and their interest will require. I want them hampered by no pledges and embarrassed by no action on our part; but I want the privilege left to them of doing what their honor and interest may demand. Suppose, sir, we should compromise the difficulties which are now dividing the country. Suppose the State of Georgia under such compromise should wish to return to the Union, and the Confederated Government should undertake to coerce Georgia and keep her out of the Union. Suppose the people of Georgia, placing themselves beneath the flag and upon the Constitution of the U. S., should appeal to the Federal Government for aid in securing to them their Constitutional rights. The gentleman from Clay says we must fold our arms and look upon the struggle with indifference.—That may be so, sir; perhaps that will be the proper course to take, but I am not willing now to pledge myself to any such position. Suppose your Confederated States should undertake to block up the mouth of the Mississippi and impose such burdens on our commerce as would be an outrage upon us. Suppose our sisters, Tennessee, Kentucky, as well as Illinois, Indiana and Ohio, should demand of Federal Government that that great channel should be opened to us. Does the gentleman say that in a conflict such as that would produce, that we must fold our arms with indifference. I repeat, sir, that might be the proper policy, perhaps it will be the best policy, but I am not willing to bind myself to it until circumstances arise which will require us to do so. Now, sir, we have chosen to take care of the present; we have provided in our report for an adjournment—so that, if any difficulties may hereafter arise, we may meet together, and then, with a full acquaintance of the circumstances, take such course as we may think proper. Let us not embarrass our future action as a peace-maker. Let us, in the language of Henry Clay, "send forth the olive branch, the harbinger of peace. We want no war, no civil strife, no collision commencing in South Carolina and ending God only knows where. We want no smoking ruins; we want no streams of American blood shed by American hands; but we do want to restore peace to a distracted country, concord to a divided Republic; and we want, if possible, to look once more upon the blessed spectacle of a united, happy and fraternal people." This is what the Committee on Federal Relations have sought to accomplish. All believe our resolution tends to that end, and I believe the amendment of the gentleman from Clay tends to nothing but mischief, and I therefore appeal to the friends of the Union to vote down the amendment.

Mr. KNOTT. In the few remarks I propose to submit upon the proposition before the Convention, I shall endeavor to confine myself strictly to the point under consideration. For one, sir, I am in favor of the amendment offered by the gentleman from Clay. Missouri occupies a position in relation to the other members of this Confederacy, of a most peculiar character. Her citizens are those who have emigrated to her borders from every portion of the Union: some from the rocky hills of New England, some from the verdant valleys of Pennsylvania and New York, some from the Blue Mountains of the Old Dominion, some from the shades of the dark and bloody ground, and some from the broad savannahs of the sunny South. Her blood permeates the veins of every portion of the country, and if civil strife should raise its horrid head in our midst, espouse which side we may, some of us must inevitably be forced into a position involving the dreadful necessity of imbruing our hands in the life stream of our brethren. In view of this truth, I maintain it to be the duty of Missouri through her representatives on this floor, to raise her voice, a voice which the circumstances surrounding her should render more potent than any other, in the deliberations of our nation upon existing difficulties, in favor of the restoration of peace, and the preservation of the Union of these States, not only as the palladium of her own safety, but of the safety and prosperity of her sister States. That to effect this object, to stay the tide of revolution, and lure back her erring sisters to the great family of States from which they have wandered, she should not stand simply as a trembling suppliant, imploring the other States to save her from ruin, but to say to every portion of the Confederacy, that while a dissolution of the Federal Union would inevitably plunge *her* in the gulf of destruction, they too must go down in the terrible vortex. She should say to her sisters of the South, stay your mad career of revolution; and to her sisters of the North, come and let us compromise our difficulties, and dwell together in eternal peace. She should use every expedient that patriotism, humanity, and brotherly love can dictate, to remove forever the fruitful source of discord from our midst, and give back to the entire country the priceless boon of prosperity and peace. She should do all this, and more. Her highest and most sacred duty is the protection of her own citizens, who have ever been true to her interests, and loyal to her institutions; and when she discovers that all her noble efforts cannot allay the distractions of the country—when she sees that civil war is about to scatter, with its scorching breath, desolation and ruin all over the country, like the simoon sweeps the deserts of Arabia, I hold that she should throw around her own children the broad folds of her protecting mantle, and shield them from the passing storm; and when the hurricane of war shall have passed away, let her collect again the scattered fragments of a once glorious Union, and build a new and more enduring monument to liberty and peace. Such, sir, were the views which I frankly avowed in my circulars and speeches to the generous constituency that honored me with a seat on this floor; and I desire to represent them with all the fidelity with which I am capable. I, sir, was born upon Southern soil, and I may have inherited too much of the fervor usually attributed to the people of that section of our country; but I can conceive of nothing more revolting to the sentiments of humanity and religion which animate my bosom, than to be forced to that most horrible of all alternatives, fratricidal strife; and while I would consider it unjust and inhuman to be compelled by the State of my adoption to imbrue my hands in the blood of my kindred, and those bound to me by all the ties of early friendship and association, I am not willing that any citizen of Missouri, whether he comes from a Northern or a Southern State, should be placed in a like horrible predicament, when the State to which he has ever been loyal can save him from it.

By adopting this amendment, she promises that protection; and she does so without violating a single principle of loyalty to the Constitution of the General Government. She simply says to the seceding States, stay the hand of fratricidal strife, and to the General Government do likewise; for while we discountenance a war to be inaugurated by the one, we will not lend our aid to subjugate and drive back the other to their allegiance.

It has been intimated that this amendment pledges the State to withhold her aid to the General Government in enforcing the law, but, sir, in my opinion, it does no such thing. It simply recognizes the difference between enforcing the law and making war upon a *State*, for while the Constitution of the United States gives the President power to do the one, it confers upon him no authority to do the other. The President of the United States is authorized and required by the Constitution to enforce the law. But how? Manifestly in the manner pointed out by the law, and not otherwise. When a law of the United States is violated, that violation must be ascertained by regular judicial proceedings, and when the sentence of the law has been formally pronounced by a court of competent jurisdiction, then if the execution of that judgment is resisted, and not till then can the President make bare the arm of military power for the enforcement. For instance, should an army of South Carolinians batter down the walls of Fort Sumpter, proceeding upon the hypothesis that South Carolina is still in the Union, the perpetrators of the deed would be guilty of treason. But will any one pretend that the President has power to punish that treason by sending an army to lay Charleston in ashes? No, sir, the guilty parties must be indicted by a Grand Jury, tried in a court of competent jurisdiction, sentenced and punished according to law; and should the execution of that sentence be resisted, the President would have the Constitutional power, and it would be his duty to use the military force at his disposal as a *posse comitatus* to see that it was carried into effect. If this is not true, we live under a despotism of the worst possible description, a despotism in which the Chief Executive makes the law, administers and executes it without the form of a trial. It would, therefore, be no violation of her fealty to the General Government for our State to withhold from the Executive of the nation the means of exercising an unconstitutional power. Again, sir, it has been intimated that this amendment looks to secession, and pledges the State to withhold from the coffers of the Union the custom to be collected in our custom house, and if I thought so I should certainly oppose its adoption, for if I know a single pulsation of my heart, I know it is for the preservation of this Union, for upon that I know depends not only all the prospects of my own State for future prosperity and happiness, but the prospects of all with whom she stands connected in this Confederacy. But I cannot view it in that light. The State of Missouri, as a corporation, as a *State*, pays not one cent of duties collected in our custom houses, nor does this amendment pledge her to deprive the General Government of anything that may be due to it from individuals. I can see no application in the cases assumed by the gentleman from Buchanan, whatever.

It has been frequently said on this floor, and justly said, that Missouri should occupy the position of mediator between the contending parties. To that position I think her peculiarly and admirably suited, under all the circumstances surrounding her, and for one I am anxious, and more than anxious that she should do so; but when she undertakes this mediatorial office, I do not desire to see her assume the position of the vulture when called upon to arbitrate between the wolf and the lamb, and declare in the outset that she will be on the stronger side, for if anything is to be anticipated from her office of pacificator it must be effected by the strictest impartiality betwen the contending parties. There is nothing in this amendment inconsistent with the position Missouri holds in the Union, nor the tone and tenor of the report of the Committee on Federal Relations. Let her, therefore, declare by its adoption that she desires no war, no bloodshed, but peace and compromise. Let her say to both sections of the country, let us bury our strifes, and again as a great brotherhood of empires go foward hand in hand in a career of prosperity and glory that shall challenge the admiration of all the nations of the earth in all time to come.

Mr. McFerran. The material resolution reported by the committee declares that a peaceable solution of our difficulties requires that the General Government, as well as the seceding States, refrain from a conflict. It says that a peaceable solution depends upon abstaining from a conflict, and the amendment says that the fate of Missouri depends upon it. I think therefore, sir, that this amendment does materially propose to alter the original resolution, and therefore, sir, I am opposed to it. If the amendment is true, and an unfortunate collision should take place between the General Government and the seceding States, then Missouri will be at sea without rudder or compass. It is unwise, Mr. President, to undertake to decide an important question before it is necessary to do so. It is unwise to decide what should be done in a given case before a contingency arises and all the facts and circumstances are known. I might easily, sir, imagine a case in which the seceding States might go to war with the Federal Government, and I might just as easily imagine a case why the General Government should go to war with the seceding States, and I might imagine a case when the State of Missouri would readily furnish her men in that war. For instance, sir, if the seceding States were to connect themselves with a foreign power, such as France or England, and make war upon the rights of the States of this Union, would not Missouri in a contingency like that, remaining in the Union, furnish her men? I therefore think it unwise to decide any question as important as this, until it is necessary to decide it. Again, can we not safely leave this matter in the hands of the executive of a State, where the Constitution of the United States places it. I am aware that Missouri might assume a position of neutrality. Indeed that might be her true position, because, sir, under the Constitution of the United States, if the President calls on Missouri, the call has to be made on the executive of the State, and the executive may or may not respond affirmatively to that demand, after a careful consideration of all the circumstances that surround him at the time the demand is made. Hence I say there is no necessity for this amendment. I deem it inexpedient and improper to decide a great matter here, before we know all the circumstances that may surround the case. Again, sir, I do not believe that the fate of Missouri depends upon any conflict that is now threatened between the General Government and the seceding States. Her interest and destiny rests more upon a good understanding and fraternal feeling between the States of the Mississippi Valley than any other State of the Union. Missouri, sir, is emphatically a Western State, and while she remains on terms of peace with these States of the Mississippi Valley her prosperity will not be materially injured, Missouri ought to do everything in her power to preserve the old Union, with every star in its constellation. Yet, sir, I do not believe her fate depends upon any conflict that might ensue between the General Government and the seceding States. Again, I am not willing to place the General Government in the same position that we place the seceding States. We owe a duty to the Federal Government that we do not owe to the seceded States. Then, Mr. President, there is another reason why we should not pass this amendment: In the last four months we have beheld the politicians of this great nation threatening each other. We have beheld the great State of New York, in her Legislature, offering men and money to the Federal Government to coerce the seceded States. On the other hand, when these resolutions reached the Southern States, we have heard Kentucky and other Southern States declare that no Northern army shall ever cross their borders to coerce or engage in civil strife with any seceding State. This, Sir, is a melancholy and deplorable condition for this great Government to be involved in. Many of the evils that now agitate the public mind exist but in threats upon abstract questions. The Government is threatened to be dissolved, and has been to the extent of seven States. I do not want this Convention, Sir, to engage in the business of threatening other States or the Federal Government. I especially do not want it done until it is necessary so to do. The moral power of the State of Missouri will be great in the councils of the nation, and that moral power depends upon the loyalty of the State to the Federal Constitution and Government that our fathers builded; and if, Sir, we declare that we will not discharge our duties to the Federal Government, we at once destroy our moral power for good. Therefore, Sir, I am opposed to this amendment. It is unnecessary at the present time—it is out of place, and can do no good. It will destroy the moral power of our State in the great strife existing between the different sections of this Confederacy.

Mr. **Shackelford** of Howard. Representing as I do a consituency that has a large interest in the peculiar institution that has been the source of all our troubles, I feel that I owe it to myself, as well as to them to state to this Convention the reasons why I shall vote against the amendment. Mr. President, when I see surrounding me gentlemen, perhaps from almost every State in this Confederacy, from the North and from the South, I feel that Missouri is properly entitled to the position of mediator. Standing as I do upon my own native soil, I feel that I can raise a voice of warning to my fellow citizens who have chosen Missouri as the State of their adoption. When this resolution was read by my aged friend who is Chairman of this Committee, (Judge Gamble,) I tell you that my judgment gave it my approval, and my heart beat in solemn response to the principles therein laid down. Clearer and more dispassionate deliberation has but confirmed me in my first impression. It is therefore due to the gentleman who has offered this amendment that I should state the reasons which will govern me in my vote here. I have no political record in the past. I desire none in the future, sir. The lever which sometimes make politicians flutter, the question of calling the ayes and noes, has no terror for me. But, sir, in the consideration of this amendment it should be our design to discuss it alone on its merits. I come to this resolution, and I desire to discuss it on its merits. I desire, sir, to send forth my views in relation to the objects and purposes of this Convention. Gentlemen all agree, sir, that we should be for peace, that we should act as mediator. If we all agree as to that, then in the name of all that is good, in the name of our wives and children at home, shall we not act together here as a unit? Shall we differ merely about words? No, sir. Let me tell you that the resolution as originally reported, to my mind, goes just as far as we ought to go. It neither says more nor less than is necessary; and while I might agree with the abstract proposition of any sentiment which may be offered here, yet, sir, when we look at the objects and purposes that we have to consider, we must perform our duties regardless of the consequences, and we must not lose sight of the object for which we are assembled together. When I went before my constituents I told them I could not look forward into the future as to what position I could or would take as circumstances might arise. I told them I could only judge of the circumstances as they might arise; but I told them all the powers and energies of my mind should be used to restore fraternal feeling in this Union. Then the reason why I object to that amendment is this: The language of "shall and shan't," will and won't," is not the language of peace. I am unwilling to say to any government, you shall and you shan't; and I am unwilling to say to our sister Southern States and Southern friends, with whom my whole sympathy lies, you shall and you shan't. It is not the voice of bravery which says you shall or you shan't. No, sir, it is a brave man that says, "this is my will, this is my opinion; if you violate or go contrary to my express will, the consequences rest upon your own head." Then, if our dearest rights are to be invaded by Northern fanatics, is it necessary for this Convention to say to Missourians, you must do thus and so? No, sir; as a Missourian I say it needs no voice of this Convention to tell me how I shall act. The promptings of my own heart, and the promptings of the heart of every Missourian will tell him how to act, and he will act according to the circumstances, and as his judgment shall dictate. Mr. President, this resolution breathes the spirit of peace. I favored this resolution because I felt it was pointing to peace. I felt, sir, it was actuated by that spirit of peace which ought to actuate and inflame every bosom. When He, who spake as man never spake, said to the raging billows, "Peace, be still:" I would say, that the same spirit should govern and actuate the purposes and objects of this Convention. I would say, when the raging elements are surging around us, and passion, discord, and fury are the order of the day, in the language of Him, who controls the elements, "Peace, be still." I have no idea, sir, that I shall tie myself down to any proposition, or plan of adjustment. I can only be governed by present surroundings, and when I say that this or that may be a proper basis of adjustment, I do not tie myself down to it; but I say this—I am only willing to speak for the present. I confess I can see no further. I believe, sir, that our peace, and our harmony and fraternal Union, are not dependent upon the adoption of this or that measure; but I say to you, that if we will have a compromise we must first set ourselves right; we must discard passion, we must throw aside this spirit of recrimination, anger and passion, and get ourselves right, and then only can we see our way clear, and then, and then only can we teach transgressors the way. Then, sir, I tell you, as one who believes that this is the only sentiment that will restore harmony in our distracted country; that when the people shall get together and consult about this matter; when the pure principles of Christianity shall predominate and overrule every heart; that when we shall meet our brethren of the North in Convention—I say then when these principles shall be uppermost, and we get together in Convention, they will be ready to concede more than we ask, and we shall be ready to take less than they will give. These being my sentiments I am unwilling to mar the beauty of these resolutions. I am unwilling to vote for any resolutions contrary to "our present mission." I am unwilling to give forth threats as the language of peace. This is the sentiment I gave before my constituents. This is the sentiment they asked me to advocate before this body; and if I fail to do so, I shall not be discharging my duty. My constituents have more pecuniary interest, perhaps, than any district in the State in this matter, and they have said in language not to be misunderstood, "Peace, peace." I expect that this will be my only political record; but I say, sir, if dissolution and war shall come, and if by our efforts we cannot heal the discord in our country—then, I say, I am not willing to place myself in such an attitude that my children shall reproach me in after years, because I did not do all I could to save them from the terrors, trials and struggles of civil war. But if peace shall reign, and my children shall stand under the banner of our common country, as freemen, though they may be stripped of every vestige of pecuniary interest and reward in this world—even though stripped of every thing, I shall ever have the calm satisfaction of knowing that they stand there with clear hearts, honest hands, as freemen. Far better that they should stand thus, than that they should roll in the lap of luxury, as worshippers of mammon, slaves of avarice and contributing of their substance to the tyrant that rules over them. Then be this my only record—and I have the hope that it may be my only record—whereon my name shall stand, side by side with the many patriotic hearts that beat in this Convention in favor of these majority resolutions.

Mr. HENDERSON—Mr. President and gentlemen of the Convention: It really seems to me that since the beginning of the deliberations of this Convention, we have been disposed to magnify and to give an undue importance to many of the apparent difficulties of the present time.—When we come to look at our condition it is not so bad as at first blush we might anticipate. Five months ago, we all thought that we were the happiest people on earth. I care not what party a man may have belonged to, or what set of political principles he was attempting to establish upon the policy of the country, yet it must be admitted that every man presumed that we had a Government the best that had been guaranteed to man, and that we enjoyed a prosperity never enjoyed by the people of any nation on the earth; and yet, by some strange delusion, by some unaccountable transformation of the human mind, we have come to the conclusion that we are just upon the verge of destruction. It is not so—not one word of it. There are loyal hearts in this country, from one end to the other, that beat steadily and responsive in their loyalty to that flag and the Constitution of our fathers; and though for a short time party feeling may get the better of their judgment, though for a short time wild fanaticsim may take possession of the better feelings of the human heart, yet the day of peace and regeneration is at hand. I witnessed this thing once before. I saw the very same States that have now seceded from Congress and from the Federal Government secede from a Convention. I saw South Carolina secede. I then felt what must necessarily be the consequence. I saw Alabama leave, and Florida, and Mississippi, and Louisiana and Texas. I stood as I believed, the correct representative of the heart and feeling of my people. I said to them you may all secede, but I shall stand true to the State of Missouri. I let them go, and on returning I found that my State was unwilling to abandon me, and instead of so doing, stood true to the principles of the Constitution, firm for the Union and true to the conservative platform laid down by the Democracy of the Nation. Not having been intimidated then, but having been sustained and supported by an honest yeomanry, the free people of this State, I can witness their departure again, feeling conscious that nobody has been hurt except themselves. I would that they had never gone. I would that to-day a proper spirit and feeling animated their bosoms, that they might willingly and freely return back to the Union of our fathers. They must yet do it. Politicians of the Southern States—and I am going to talk plainly—the drunken demagogues of the present day, who unfortunately have possessed themselves of the power that ought to be in the hands of good and conservative men, have so far obtained the control in those States as to leave the people but little room for the expression of honest sentiments. Those that are interested in the character and perpetuity of the Union are in danger if they make known their sentiments of loyalty. I had supposed that in the march of our Government, from its infancy on towards its decline, as other governments have declined before us, the day might come when a Marius or a Scylla might figure. I had supposed that when the nation should become degenerated and enfeebled by vice, in all probability there might be an American Cataline, but I had not supposed that in the first eighty years of our existence, a Yancey, with all the malignity of a Cataline, with a total disregard of all the blessings which now make us the happiest people on earth, would attempt to plunge the people into revolution, when the inevitable result must, in the course of a few years—even though they depart in peace from us today—be utter ruin and destruction to that people. Is not this so? And yet some gentlemen, even in Missouri, hesitate to say that a man is a traitor, even after he has proven himself to be a traitor. Gentlemen are afraid to say what they really think about this matter: they are afraid of the people—of that people who are to-day as true to the Union and the Constitution as any living people upon earth. They seem to desire to engraft words of a certain meaning upon resolutions; they hesitate about marching up to the point that is now necessary to be reached to save the Government from ruin—and leave all in doubt and confusion. This will do us no good. This is no time for hesitancy. As some gentlemen refer to the political records, I say if I can make a record to save Missouri from impending ruin, I want no other record. No man in this proud State needs any other record than the record that he has contributed his mite to save us from the consequences that are now pressing upon us. New doctrines are being taught in the present day. A robber in one of the Northern States, following out the bent of his mind, seizes upon my property, takes it and appropriates it to his own use, and deprives me of it. I go in pursuit of my property, and meet a band of free negroes and contemptible white men who are associated together for the purpose of carrying out the original design of the robber and of depriving me of the use of my property. All these things occur, but as a remedy for it we are taught the new doctrine that all law must be repealed. Is that the true doctrine? Is our government to be preserved by a doctrine of that character? Surely not. I was once taught, and I yet believe it, that when the law is defective, when its execution is not properly enforced, we can make the law more stringent and provide better remedies for its true and proper enforcement. That is the true doctrine of the government, and when we depart from it ten thousand difficulties will environ Missouri and this Union, consecrated by the wisdom of an illustrious ancestry. Tell me not they made such a government—tell me not this is a new doctrine that is now being taught—tell me not that we owe our preservation so far and our prosperity, to the idea that we are thirty-four independent people, and not one people. It was supposed, when our institutions were founded, that in union there was strength. It was supposed that in union there was power to enforce the decrees of an honest judiciary. It was supposed, in the establishment of our Government that it would be perpetual, that it was to last not only to bless those who made it, but to bless future generations, and to open the door in our Government, and make it the asylum of the oppressed in all lands.. But, as the great remedy for existing evils, the great remedy which is now advanced, is secession! Is this doctrine true? Some gentlemen are afraid of the people of Missouri. I am not. From my place here to-day I declare this doctrine of secession to be a damnable heresy! That expression is strong; but I declare my honest sentiments, and I am willing to trust an honest people to stand true to this declaration. It was never designed by our forefathers as a remedy for anything. It is but the destruction of the Government, unfortunately, and this must be accomplished, only to establish the fact that there is a spirit of insubordination and reckless folly—a spirit that disregards law and order—now prevailing from the Northern regions of our Republic to those of the South; a spirit that seems to delight in setting at defiance all that can tend to give us peace and prosperity, and we are looking upon that spirit of reckless disregard of law as a remedy for existing evils, and debating whether to plunge into this reckless disregard ourselves and offset one wrong against another. Is that the true doctrine? So long as we practice upon that—so long as we acknowledge it to be a truth in the government of the country, then the very evils we complain of impose upon us the necessity of revolution in order to redress our wrongs. What are our complaints? We complain that the fugitive slave law has been violated in the Northern States, and if we once admit the doctrine of secession to be true, then as an offset to an ordinance of secession, what is there to prevent the Northern States from at once passing laws that no slave owner shall recapture slaves? And this is a remedy, not for any evil, but to plunge hastily into a movement without looking at the consequences that must flow from such a course.

The people of Missouri expect us to act without fear. They expect an honest declaration of principles that will meet their views. What is the condition of our country? Seven stars of the constellation have shot madly from their orbits. What is the duty of Missouri? This is an important, a very important consideration, and when we look at the Constitution and the design of our institutions, there is but one answer left in the patriotic heart; there can be but one. I am told that they have gone to secure their rights in slave property. Having been brought up as a Democrat of the strictest sect, I too might have been led into this delusion, if I had not had an opportunity to know better. They never left this confederacy—I mean the politicians who have governed and controlled this movement—on account of any fear whatever as to their rights in negro property. It is a false idea of commercial greatness. They have, since 1832, inculcated a doctrine that a tariff upon imports is a mere burden upon exports; that their cities have languished under the revenue laws of the Government; that their fields have become barren under the oppressions and exactions of an unjust Government. The merchant of Charleston to-day, candidly and sincerely believes, in case his government can be established, that South Carolina can be separated from the Federal Union, Charleston in the course of ten years will become a New York. The merchants of Savannah have the same opinion, the merchants of Mobile and the merchants of New Orleans have the same opinibn, and unfortunately I must say this delusion of the day is entertained by some of the merchants of the West. The great city of St. Louis to-day owes its greatness and prosperity alone to the Union. But this delusion has seized upon some men of sense in Missouri and in the city of St. Louis, and they have come to the conclusion that in case a Southern Confederacy is formed, Missouri must go with it and St. Louis will thereby become the great city upon this continent. This delusion upon the minds of some men of the South has caused this unfortunate state of affairs. But there is another thing and it is this:—in that country there are designing men, men who, in their estimation, have not been properly regarded with public favor in this country; men who have sought under the binding obligation of allegiance to oath-bound leagues, to go and take Cuba and subject its wealth to their rapacity; men who have formed organizations year after year, to go in the spirit of Cortez and Pizarro, and sieze upon the wealth of Central American States, and to carry on a war of pillage upon the commerce and wealth of their people. There is a vast degree of feeling of that character, and these things combined with the idea that has been gravely inculcated on the Southern mind for a number of years, that the Government of the Union is oppressive: all these things have driven that people into a total disregard of their own interest and into that which must inevitably produce their ruin. This work has been done regardless of the consequences. The excuse that has been given for this movement is that which finds sympathy with the people of Missouri. We are left to believe that it is the fear of the great sectional and dominant party that has driven them to take this extraordinary step. Thousands of the very best Southern citizens have been driven out of the Union under the belief that the triumph of this sectional party was the real cause of their being thus driven out. Designing demagogues and politicians who to-day would rob them, if they could only conceal their plunder—and in the course of a few years they will be able to do it under the present state of affairs—have brought about this thing, and by and by they will be as secure as the soothsayers of Rome, who, when they met each other, winked and laughed at the delusions practised in an unsuspecting people. This is the present condition of things in the Southern States, and we are called upon to follow them. The question, Mr. President, is whether we will recognize this as a constitutional right. I came here already sworn to support the Constitution of my country, and after I came I again renewed that fidelity and placed my hand upon the book and swore again that I would support it; and now, sir, I am ready to say that that instrument is the best instrument ever devised for the government of man. Sir, having been born in fidelity to it—having thus far enjoyed prosperity under it, such as I could not have enjoyed under any other government on earth—having thus far been protected in my rights, person and property—I love that government; I love its flag that has protected me and mine. I look forward with renewed hope to the brilliant prospects in the future, when I look to the hallowed as-associations of the past; and I now again renew my faith in the good of my country, and no act of mine, from this day on, shall ever tend to dissolve the union of Missouri with the Federal Government. My mind has been made up. I intend, sir, so far as I am concerned, that every right shall be guaranteed our Southern friends, and that every right shall be guarantied our Northern frends, and everything that can be done shall be done upon my part to restore alienated feeling and bring back once more those erring sisters that have gone off in madness into the path of their own destruction. And, sir, looking at the best interests of Missouri—looking at my own fealty to the Constitution, I can never consent to follow.

Let us stand true. Do you want them back with you? Yes, says every man. How are you going to get them? By passing ordinances of secession—by passing anything that looks to their encouragement and support? Mr. President, no. There are two sides to this question. I detest the action of the Northern States that have passed laws interfering with the execution of the Fugitive Slave law; and, sir, to remedy that I would have passed by the next Congress a law by which every right of a citizen of the South shall be guaranteed to him. I would so amend that law that when a mob in the Northern States undertook to interfere with the execution of it, a penalty would be imposed such as would effectually prevent such interference.

Mr. Welch. If the gentleman from Pike will give way, I will make a motion to adjourn.

Mr. Henderson. I will give way.

Convention then adjourned till 2 P. M.

AFTERNOON SESSION.

Convention re-assembled at 2 o'clock.

The Chair. The gentleman from Pike has the floor.

Mr. Henderson. Mr. President, inasmuch as the Convention is not at present full, and there will be a constant movement in the lobby as well as the house, caused by persons coming in, I move that the Convention take a recess until the noise has somewhat subsided—say fifteen minutes. Motion agreed to.

After recess, Mr. Henderson took the floor and spoke as follows:

Mr. President: At the time of the adjournment of the Convention, after having addressed myself to secession as a legal and Constitutional right, not as a revolutionary right, I was proceeding to speak in regard to what I thought was at the bottom of the difficulties of the present day; and now, lest I may be misunderstood upon this subject, I desire to say that all that I have said in reference to secession, has been said in reference to it as a legal right, and claimed to be a peaceable right under the terms of the Federal Constitution. I do not desire to be misunderstood, and desire especially to apply the right terms, so that there can be no misunderstanding on the part of the people of the State of Missouri in reference to the action of this Convention.

If secession be true, and if there be any gentleman upon the floor of this Convention who appeals to it as a peaceable and successful remedy for the redress of the evils under our system and form of government, I would like to hear the argument in favor of it. I have under all circumstances given a patient hearing to every argument addressed to me on this subject; and although I am not disposed to announce myself here, in the language of some gentlemen, as a base submissionist, I have talked so far only about a legal and constitutional right. Nothing else have I spoken of so far. Would it not be well for the people of Missouri, as a matter of principle upon this occasion, to adopt no line of policy, to make no declaration whatever, that may be used in the future as an estoppel against her rights. If it is expected of me that in voting upon this floor I shall enforce a doctrine that may in the future be flaunted in my face when I am claiming a right at the hands of the Federal Government, it will be expected in vain.

If secession be true, what objection have you to the proceedings of the Hartford Convention? No man who held a seat upon the floor of that Convention is to-day willing to let his name be known before the American people. If secession be true, why were not the people of these States exclusively engaged in commercial pursuits, whose property, whose wealth, whose prosperity depended not upon the establishment of embargoes upon their commerce—but depended exclusively upon the open navigation of the seas and speedy termination of a war that was ruining their best interests—tell me, if this doctrine be true, why they were not right, in consulting their interests, and meeting together upon the floor of that Convention with the view to separate themselves from the Federal Government?

Is it not worthy, then, the consideration of Missourians that we adopt nothing as a principle that *may* conflict with our interests in the future, or that may be used, even by the demagogue, for the ultimate extermination of the liberties of this country. Sir, under the Constitution, which is the chart of my liberty and yours, the power to declare war has been delegated to Congress; but if the doctrine of secession, as a peaceable remedy, be true, Congress may declare war, and in the midst of hostilities with the combined powers of Europe, I understand that any State in the American Union, looking forward to its own exclusive interests, to the utter overthrow of the interest of every other State of the Union, has a right to withdraw itself from the Federal Union, and leave the burden of war upon its brothers. Not only so, but they have the right to say, and that peaceably, too, although Congress possesses the power to levy taxes necessary to its continuance, or the payment of the debt that may be contracted thereby, that they will not share with their sister States in the payment of an honest obligation. Sir, if this doctrine be true, one-half of the States in the midst of a desolating war with Europe may withdraw from the American Confederacy, and leave the remaining States to be subjugated by the hand of power. Is this so? Is it not necessary that we should look to such a result as possible, and perhaps probable, in the future?

But a few days ago I noticed an article in a London paper announcing to the American people that the treaty of Paris would not be respected according to its obvious import and meaning in regard to the blockade of ports, because of the fact that it would militate against the interest of Great Britain and France; and that, although Great Britain, with the States of America united, would be compelled to respect in the proper spirit treaties made, yet when our Government was shattered and torn to atoms, they were under no obligations to respect the technical wording of a treaty to their own lasting injury. It may be well for the members of this Convention—it may be well for the people of Missouri—to look to this thing, and adopt no principle that in the future may be argued against our own rights.

Congress possesses the power to levy impost duties; but, sir, if this right be a peaceable and constitutional right, any State of the Union may consult its own whims, or its own cupidity, in withdrawing from the American Union—any State may open its ports to the commerce of the world, and carry on a contraband trade against the interests of the remaining States. If this doctrine be true, that Fugitive Slave Law which has been passed for the protection of Southern interests, may be set at defiance by any Northern State, and the people of Missouri dare not, after having adopted secession as a remedy, complain against the contrary views of their Northern neighbors. Then, is it not the highest duty of the people of this State to look well to every declaration of principle that they may lay down in this Convention?

But, aside from it as a Constitutional question, I propose, sir, to examine it as a question of expediency and propriety on the part of the people of this State. What is the difficulty now existing? It is, as I am told, the insecurity of slave property. Is that true? Then do you propose that this Mississippi river, that rolls by your city, shall become the boundary line between Missouri and the Northern Confederacy, in order to protect slave property? *Can* this be urged with any degree of reason? I am told by gentlemen, and some of them in high quarters, (even the Governor of the State of Missouri, in my presence, the other evening, so said,) that treaties may secure, and will secure, that which country, good neighborhood, respect for the Constitution and laws of the land, that which common interest and common destiny will not grant to the people of the State.

How close are the ties that bind England and America. There is a common parentage—there is a common and mutual interest. There is everything based upon commercial relations or good neighborhood between two countries, to justify us in exacting from Great Britain the recognition to us of every right. Tell me, then, why it is that the fugitive slave in Canada is now secure. Why don't these gentlemen make treaties with Great Britain? Why is it, with our interests tied together as they are, that England, dependant as she is, in the language of our Southern sisters who have seceded, upon King Cotton, has never yet granted, and never will grant, the rendition of a fugitive slave? Standing upon the old doctrine of her statesmen and her poets, that whenever a man touches her consecrated soil his shackles fall, and he stands forth redeemed, regenerated and disenthralled, she tells the nations of the world that that is her only ultimatum in regard to questions of this character—that no matter how long a man may have been a slave—no matter how intimate the relations between Great Britian and the country from which the man has come, yet when he touches her consecrated soil, he becomes free as his master. Is it true that it would be better to separate from our Northern friends, and erect a Southern Confederacy, and look to the protection of England, France and Russia, for those rights that are denied to us in this happy Government of ours? Is that true? If so, let me ask you, one moment, as to the probabilities, if you please, of securing treaties that will acomplish the ends that you design to acomplish. Are these men so hostile to slavery—are they so much arrayed in feeling and in principle against the institutions of the State of Missouri, that even now, with every inducement leading thereto, they will not render to us that which belongs to us? If so, when once you have dissolved the ties between the North and the South—(can any be dearer between independent nations than those which bind together England and America?)—can you expect to secure by a treaty a right that is now denied? I say no. Every gentleman upon this floor will say to himself that it is an utter impossibility that such a treaty can be made.

Again, is this the only question that is likely to arise between independent nations? Why, sir, the very moment that the separation is once effected, all those causes that have heretofore divided and brought on hostile collision between the adjacent States will of course ex-sit between the people of the North and South. The very elements of our present prosperity will prove to be our destruction. This magnificent river, rising in the lakes of the North, its waters passing between the Northern and Southern soil, and emptying itself in the great ocean South of us, that carries the commerce of the Union upon its bosom—the Ohio river that floats the commerce of many of the wealthiest and most powerful States—these two streams of themselves are sufficient to bring on hostile collisions between the independent republics that will end in the destruction of one or the other. Although this separation may be peaceable, (and God grant, if it is to come, that it may be peaceable, and all that I can do shall be devoted to that end,) you may avoid war for the first year or two, yet no man can close his eyes to the fact that war of the most direful character will soon spring up, and that war will not be terminated until every material and social interest of this country has been buried beneath its ravages. It is inevitable. Commercial questions, the making of treaties, all of the contracts that must necessarily exist between independent republics, must exist between these, and if we find occasion, upon the interpretation of words in a treaty, to go to war with foreign nations, why is it not likely that the same state of things will be brought on between the different portions of this now happy country?

It may do for the gentlemen not interested in this species of property to tell me, as they have told me, that my property is more secure within fifteen hundred yards of the soil of an independent republic, but I believe it not. I do not believe that men who are interested in property of this character would believe it; and though I must listen to an argument of this sort, though I am giving ear to it, I never can give credence to it, and never can I be convinced of the propriety of it until it has been tried and demonstrated by experience to be the true and correct doctrine upon the subject.

But we are told that property is insecure in this country. Just one word in regard to that, if you please. I am willing to admit, and I do admit, and not only do I admit, but I now take occasion to say, that, for many years, in the Northern States, a dangerous feeling has been growing up antagonistic to the institutions of the South. The Republican party has been supported by men who have enunciated heresies dangerous to the rights of the South, and the Republican party must get rid of that class of men. They must divest themselves of them forever and ever, or else, in my honest judgment, if their views are carried out, we may not be asked to resort to secession as a constitutional remedy, but may be compelled to resort to the more dangerous doctrine of revolution.

I am not afraid, sir, to announce the proposition that, if the doctrines of Wendell Phillips and Lloyd Garrison are to be the doctrines of this country, and the slave population of the Southern States should be turned loose by Federal enactments, I do not hesitate to say, nor I do suppose the people of the State of Missouri would hesitate a moment to say, that in that case it would be better to resort to the revolutionary right—the last resort of injured man—and right themselves at the point of the bayonet.

But, unfortunately, Mr. President, we find the extremes to meet. Garrison and Wendell Phillips are upon the same platform with Rhett and Yancey. They all claim that secession is a right; while Garrison and Phillips say they rejoice that secession has taken place because it is the death-knell of slavery in this country. The only difference between them is, that Yancey and Rhett say they have resorted to it for the *protection* of slavery. They agree upon the means, though they differ as to the results to flow from the doctrine. Sir, the Republican party have announced in their platforms doctrines that they must not and cannot stand to. They must leave them. They have upon many occasions announced doctrines that, in the legislation of the country, they do not propose to stand to.

Whilst I am upon this part of my subject, permit me to make one other remark. We are here for the purpose of reconciling conflicting interests. We are here for the purpose of telling the truth. We are here for the purpose of calling up the wrongs of all sections of the country, and applying the remedy to redress them, if we possibly can. Are we guilty of no wrong? Have we, as Southern men, done nothing that was wrong, and do we come before the American people to say that all the sectionalism is in the North, and the South has never been guilty of anything that conflicts with or militates against the general good of the country?

I am aware, sir, judging by what has been done heretofore, that from the utterances that I have made to-day, and will yet make, some gentlemen will be pleased to call me a Black Republican. Mr. President, I never yet have cast a vote for a man claiming to be a Republican; and unless their views upon this slavery question shall be changed, so that they are no longer the party of the present day, I expect never to cast a vote for one. But, sir, I have my rights in this country, and if the Republican party are Union men, all I can say is that I will not abandon the Union because *they* cling to it. No, sir; that is not my policy, and I do not intend to adopt it.

At Charleston, my remembrance is, as I stated this morning, that I took a position that was indorsed by the people of Missouri; and what was it? It was that the institution of slavery, notwithstanding Federal laws of an unconstitutional character, will go into Territories where the soil and climate invite it; that the Territories of the American Union ought to be thrown open to settlement by Northern and Southern men, that all might go there and slave property be recognised under the Constitution, until they themselves should agree to exclude it, finding it to be unprofitable under surrounding circumstances. Why, now, shall I abandon that doctrine? Have not the people of the State of Missouri indorsed it? But it was alleged there that a great sectional party in this country was about to get the reins of Government, and as an offset to that party another great sectional party must be built up in the Southern States. One party claimed, wrongfully, as I think, that the Federal Government ought to exclude slavery from the Territories. Another party took the ground that slavery must be protected by the Federal Government. Upon that issue—a compromise between extremes—we went before the people of the State of Missouri, and the people indorsed our course, and in the election of delegates to this Convention they have once more indorsed it. They have indorsed the proposition that so long as the policy of the Government should be in accordance with the platform there adopted, they are satisfied to remain in this Confederacy.

But another proposition suggests itself to me. There was another party in the State of Missouri, and I refer to these things in order to see how far the public mind has been driven from the position it occupied four or five months ago. In view of the disruption of the Democratic party at Charleston and Baltimore, I understand that the American party, as it was called, anticipated that some difficulty might arise in the affairs of the Government, that some obstacle would be presented to the enforcement of the laws, and they met together at Baltimore, and decided what? That they were in favor of the Union, the Constitution and the enforcement of the laws. Where now is that American party? Does it yet live? That party that cast about an equal number of votes with the Douglas men in the State?

Are they yet true and firm to the platform upon which they fought the canvass of last November? If so, I wish to know whether they can, upon this occasion, back out from the position they assumed, and which was inculcated upon the honest yeomanry of the country? I apprehend not. Sectionalism has taken possession of this country. That is the true theory of the anticipated difficulties now before us. It is not from wrongs that we are now suffering, is it? Surely not. As I understand it, the Democratic party and the American party of this country, but a few years ago, when in the majority in the Government adopted the doctrine contained in the compromise measures of 1850, in regard to the Territorial questions. It is true, that the Republican party, during their canvass, advocated the right and duty of the Government to exclude slavery from the Territories. So soon as they come into power, however, they pass three territorial bills abjuring their own doctrine, and coming up to the doctrine laid down by Henry Clay in 1850—the same doctrine that was incorporated in the Kansas-Nebraska measure—leaving the people in the Territories to settle this difficult question for themselves. There is not to-day a single law upon the statute books of the Federal Government denying the right of a citizen to enter into any territory belonging to the Union. Then there is not a real grievance upon that question, but the anticipated grievance that may hereafter come.

Since the present Congress has met, and in fact since the secession of a portion of the Southern States, if I am not incorrectly informed upon the subject, a proposition has been adopted by Northern States, by a majority of Republican members of both Houses of Congress, by which an amendment is to be engrafted upon the Federal Constitution, to the effect that that instrument shall never be so amended as to permit Congress to interfere with the institution of slavery in any State without the consent of every State in the Union. If that be so, it is now in our power at least to close this difficult question for ever and ever. Then let our southern sisters come back into the Union. New York, New Jersey, Pennsylvania, yea, Rhode Island, Massachusetts and Maine, and even Vermont, will vote for the proposition, and let amity and that concord and that spirit of conciliation and harmony once more reign in this government that has been unnecessarily destroyed of late.

Now, Mr. President, one word in regard to this report and I am done. I am aware that men of all parties are in this Convention. It becomes our duty, sir, to do something to remove the apparent fears of the people. So far as I am concerned, I have no fear whatever that the dogmas of the Abolition party will ever find a place upon the statute books of this country. Never, sir, never! If it be their design to make the white and black races of this country equal, why, let me ask, are they not placed upon an equality in Massachusetts, Vermont and New Hampshire, to-day? Why is it, where they have the power, that they do not put the negro upon an equality with the white man? We all know that it is not so. My impression is, and I give it merely as my impression, that the combination of conservative Republicans, with the extreme and radical Abolitionists, has upon the present occasion worked out all the effects and consequences that it was ever intended to do. The object and design was to put out of power one party and put into power another. Parties are often radical in the acquisition of power; but when they come to administer the government, they will moderate their desires, and act not unlike Mr. Filmore, when he was appealed to by his friends to know whether he had not abandoned his views upon the negro question, when he said that the Fugitive Slave Law should be executed in the streets of Boston—though they ran red with human blood—and he answered that whilst he announced different opinions, he was a member of Congress from the Buffalo District, but he was now in power as President of the United States, and had sworn to support the Constitution and the laws passed in pursuance thereof, and that was all the answer he had to give.

Sir, parties may be extreme in their views in the acquisition of power, but in the administration of it they have to obey a written charter of right; they have to confine themselves within the limits of the law, and when that is the case we need have no fears whatever.

Again, gentlemen are often too prone to apply the terms, Republicans and secessionists. I have heard them rung from one end of the State to the other. I have heard much said about that subject; and the man who talks about compromise, sometimes is denounced readily as a Black Republican. When I hear that term applied to men who are thus desirous of compromising our unfortunate difficulties, it is but an indication to me that the party using the term has secession proclivities. You may rely upon it, because it is essential for men who are in favor of compromise, to plant themselves on a platform upon which all present difficulties can be adjusted, and this, of course, is in direct opposition to the policy of the secessionists.

Mr. President, I was a member of the Committee who drew up this report. I went upon the committee determined to do everything within my power to bring about a state of feeling in this Convention, and before the people of the State, that would forever and ever put a quietus upon this thing of secession or revolution for our present ills; and in doing so, it is necessarily the case that something has gone into that report that has not my approval or cordial co-operation. I apprehend that, out of thirteen men who composed that committee, there is not a single member who gives his concurrence to every line and every letter and every feature of the report. I have no idea of that, nor can I for a moment imagine that you can find two members of the Convention, to-day, who, if left to themselves, would have used the exact language of the report. But, Mr. President, I understand that we came here for the purpose of restoring peace and quiet to the country, and, if possible, arresting the progress of this revolution that must inevitably engulf us all in ruin unless it be speedily checked. Then, sir, I desired that that report should enunciate no doctrine in conflict with the Constitution of the country—that it should enunciate no principle that may hereafter estop the people of Missouri from claiming their just rights in this Confederacy; that nothing inimical to the Union of these States should appear in it, and I feel satisfied that such is the case. I regret exceedingly that it was thought fit by any gentleman to undertake an amendment to it. I will state one circumstance in connection with the action of the Committee, in order to show the great reason on the part of members of this Convention why we should, if we can, vote for the report as it is. The Committee of Thirteen adopted a resolution which stood adopted to the satisfaction of every member of the committee for at least two days, when it was discovered that the peculiar wording of the resolution contained an implication of the right of secession. It was then thought proper to amend it, and it was amended. An amendment to the resolutions which are now before you may be offered, and read by the Clerk, and at first blush every man may think it is perfectly right, and in accordance with his own views; but, sir, upon proper reflection, it may even appear to the mind of the mover himself that it would be extremely dangerous to adopt it. And so in regard to this report; it seems to me that it is so well worded and executed in every respect as to admit of no amendment without lessening its merits and injuring its harmony. If we can adopt the report as it is, I should be extremely glad.

Sir, we owe a duty to ourselves and to the country at large. I see that Virginia has refused the very proposition offered by my friend from Clay, [Mr. Moss] and I regret exceedingly that so good a Union man as he is should have thought fit to offer an amendment which, in my honest opinion, destroys the whole harmony and beauty of that report, if it possesses any. I extremely regret that any apparent ultimatum should be attempted to be laid down by the people of Missouri on this occasion. I regret that the declaration should be made by Missouri, that her fate is dependent upon the non-enforcement of the laws of this country. Sir, why the necessity of such a declaration? We desire that existing difficulties should be settled. We have said that Missouri is opposed to an attempt on the part of the Federal Government to coerce the seceding States into submission. And here let me say one word further. Has it ever been supposed, by any member of this Convention, that any man could be elected President of the United States who could so far disregard his duties under the Constitution and forget the obligation of his oath as to undertake the subjugation of the Southern States by military force? Will the abstract principle of the enforcement of the laws ever be carried by the President of the United States under existing circumstances to the extent of military subjugation? If so, then you might as well declare that this Government is at an end, Will you tell me whether, in your opinion, Mr. Lincoln will send down Don Quixottes into the Southern States to go around amongst the people with military power at their command and subjugate them or redress wrongs amongst them? Certainly not. My understanding is that before you can enforce a law you must have an adjudication upon it; that the process must be put in the hands of the marshal or other officer charged with executing it. Then, if violence be interposed, of course it is the right and duty of the Federal Executive to see that the decrees of the courts are enforced. But is there any gentleman now afraid of anything of that sort in the seceding States? I apprehend not. I understand there is no Federal Courts there. I understand there are no Federal officers to execute the law; and he who dreams that this government was made or intended to subjugate any one of the States, dreams certainly *against the spirit, against the intent, and against* the whole scope of our institutions. But some gentlemen may say, it requires no adjudication to enforce the revenue laws, and it will be Mr. Lincoln's duty to send amongst the Southern people Collectors of ports, in order to collect the revenue. One word in regard to that. Is there now a law of Congress, (I confess I am not familiar with the laws of Congress sufficiently to speak with certainty upon this subject, but I appeal to gentlemen in this Convention, whose duty it has been to examine them,) under which Abraham Lincoln can even collect the revenues at the Southern ports? As I understand it, the revenues must be collected within the ports at the custom house; and if that be true, the Federal officers having resigned, the Federal Executive has no more power to use force than either you or I. Then why this extreme desire to express upon the part of Missouri a design that under no circumstances will she lend means or money to the enforcement of the laws by the Federal Government. I desire to give no encouragement to the Northern fanatics in the commission of wrongs upon the people of this State. I desire to give no encouragement to those men in the south who have seen fit either to nullify or set at defiance the laws of Congress—who, in my honest judgment have violated the great principle of constitutional law, and who, if they persist in their course, must bring ruin upon us.

I desire that our differences shall be compromised, and although there are gentlemen upon the floor of this Convention who are unwilling to vote for the Crittenden Compromise, I appeal to them as Union men, inasmuch as, if slavery is permitted to go into the territories north of the line of 36:30, it will yet not go there, being prevented in my judgment by climate, soil and production. If it is permitted South of that line, and the Federal Government be pledged to protect it, gentlemen in this Convention will not surely do violence to their feelings or their party attachments in assenting to this position, and putting themselves on the same basis of compromise with the border States. If the interests of the people South of that line demand it, let it go. Sir, it is necessary that those States should remain in the Union. It is necessary for the peace and quiet, and welfare of the people of this great nation, for all future time, that this unnatural revolution should be arrested, and time be given to the people in the North and in the South, to free themselves from the influence of demagogues and to shake off the shackles that have been placed upon them, and rise above party malignity and party feeling, and again adjust all differences as our forefathers adjusted them in the formation of the Constitution. There is a way under that instrument to remedy every evil. Are you yet satisfied of the incapacity of man to govern himself? Are you yet satisfied that this idea laid down by an illustrious ancestry is all a delusion and a cheat? I trust, Mr. President, the members of this Convention are not disposed to abandon that great bulwark of human liberty—the right, the power and capacity of the people for self-government. If there be any grievances in the South, they will be remedied by the patriotic legions of the North. If there be any grievances in the North, we can guarantee that the patriotic legions of the South will come to their rescue and redress them. Then let us talk as patriots, and not as partisans.

Sir, there are periods in the history of every nation when every man should be willing to sink the partisan in the patriot. I know that I have been a partisan, perhaps of the straightest sect; but, sir, I now come before the representatives of a happy people—I come before the freemen of Missouri, who owe all that we are worth upon earth to that Union that our fathers made—I come before them and say that, for the time being, I care not what may have been the antecedents of any man, *I* am willing to bury the weapons of party strife, and do all that I can to preserve this Union. I am interested in slave property in Missouri. I am interested in land property and other species of property, and let me say to you that, in all candor as a man, I this day would most freely and willingly lay upon the altar of my country every dollar that I am possessed of upon this earth in order to be satisfied that my country is safe. I, sir, in the spirit of love for the institutions of America—in the spirit of devotion and attachment to that flag that has given honored protection and character to the American citizen in every land and on every sea—would gladly lay down all that I have, and start anew in the world, could I thereby preserve the Union and perpetuate the best hopes of man.

The CHAIR. The question will be on the adoption of the amendment of the gentleman from Clay.

Mr. HENDERSON. Mr. President, I rise to a privileged question. My attention has been called to an article which appeared in the Sunday *Herald*. I will read it.

> THE CONVENTION PRINTING.—The Convention's Committee on Printing appears to have assumed that the *Republican* office is the only printing establishment in St. Louis, for we do not hear that it asked for bids from other offices, or even applied to others to have the Convention Printing done. The Committee accepted Geo. Knapp & Co.'s proposition at once, and reported it to the Convention, as though Geo. Knapp & Co. ought by right to have the job, without giving others even a chance for it. We had some difficulty to-day in procuring a copy of the Committee on Federal Relations, because it had to be hurried off to the *Republican* office to be officially printed. Through the courtesy of the Secretary, however, we managed to be able to lay it before our readers.—[Evening News.
>
> We take occasion to add to the above by saying that the Chairman of the Convention, Hon. STERLING PRICE, did not place Hon. JOHN HENDERSON on the Committee on Printing, because Mr. LOWE, the Secretary of the Convention, informed him that Mr. HENDERSON did not desire the position; yet, at the same time, Mr. HENDERSON assures us that he felt rather nettled at the slight, he not having authorized any such statement. We learn that the committee as appointed decided that the printing should be done by the *Republican*, before they had a meeting.

I regret, sir, that any allusion whatever of this character, calculated to produce the impression, either upon the Honorable President of the Convention or the Secretary, that any action on their part, in any manner whatever, at any time during the sitting of this Convention, *"nettled"* me. I will state that the resolution spoken of in the article was originally offered by Dr. Linton, and drawn in my handwriting. Your Honor had placed me on two important committees, and I really did not desire the position. It may be that the gentleman who penned this article supposed, from the conversation he had with me, that I did feel so "nettled." I may state that the question was asked, if it was not extraordinary that the President should appoint another gentleman than the mover of the resolution as Chairman. I answered distinctly that I supposed he did it with a due regard to the other duties that he had imposed upon me. And, sir, I desired not to be Chairman of the committee. I recollect that the Secretary wanted the printing done immediately. Dr. Linton was not in his seat, and so he requested me to present the resolution. The Secretary had the greatest reason in the world to believe that I did not desire to be on the committee. With this explanation I will dismiss the subject.

Mr. RITCHEY offered the following amendment to the amendment: Amend by striking out the word "fate" and substitute "prosperity" therefor.

[For the better understanding of the amendment, we reproduce the original amendment introduced by Mr. Moss:]

Amend the fifth resolution by adding, "and further believing that the fate of Missouri depends upon the peaceable adjustment of our present difficulties, she will never countenance or aid a seceding State in making war on the General Government, nor will she furnish men and money for the purpose of aiding the General Government in any attempt to coërce a seceding State."

The amendment to the amendment was lost.

Mr. RITCHEY further proposed to amend by adding, after the word "never," "while she stays in the Union."

Mr. RITCHEY. In regard to this word "never," that is used in the amendment, it strikes me that it continues a long time. I do not know that the amendment of the gentleman from Clay will be adopted by this Convention, but if it should be, it strikes me that Missouri ties herself up for a good while. I, sir, have no idea that we will ever have to secede. I hope we never will; but there is a point where forbearance ceases to be a virtue—we may reach that point some time; our forefathers did; and if such a circumstance should ever come about, I feel, sir, that it is the duty of Missouri to place herself in a condition that she will not be tied up always. As I said before, I do not know that the amendment of the gentleman from Clay will be adopted, but if it should be adopted, I prefer mine to go with it.

The question being put on the amendment to the amendment, it was lost.

Mr. DOUGLASS offered the following substitute for the amendment:

And entertaining these views, we hereby declare that Missouri will not countenance or aid a seceding State in making war on the Federal Government; nor will she countenance or aid the General Government in any attempt to coerce the seceding States by military force.

Mr. DOUGLASS—I call for the ayes and nays on this substitute.

Mr. BIRCH—May I be informed of the effect of the adoption of the substitute?

The CHAIR—It will then take the place only of the amendment.

The substitute of Mr. DOUGLASS was then rejected, by the following vote:

AYES—Birch, Chenault, Doniphan, Donnell, Douglass, Drake, Dunn, Gamble, Givens, Gorin, Hatcher, Hough, Irwin, Knott, Marmaduke, Noell, Norton, Phillips, Ray, Redd, Sayre, Shackelford, of Howard, Shackleford, of St. Louis, Watkins, Mr. President—25.

NOES—Allen, Bartlett, Bass, Bast, Bogy, Breckinridge, Broadhead, Bridge, Brown, Bush, Calhoun, Cayce, Comingo, Crawford, Fitzen, Frayser, Flood, Foster, Gantt, Gravelly, Hall, of Buchanan, Harbin, Henderson, Hendricks, Hill, Hitchcock, Holmes, Holt, How, Howell, Hudgins, Isbell, Jackson, Jamison, Johnson, Kidd, Leeper, Linton, Long, Marvin, Matson, Maupin-McClurg, McCormack, McDowell, McFerran, Meyer, Morrow, Moss, Orr, Pomeroy, Rankin, Ritchey, Rowland, Sawyer, Scott, Sheeley, Smith, of Linn, Smith, of St. Louis, Stewart, Tindall, Turner, Waller, Woodson, Woolfolk, Wright, Vanbuskirk, Zimmerman—68.

ABSENT—Collier, Hall, of Randolph, Pipkin, Ross, Welch, Wilson.

Mr. HOWELL offered the following amendment to the amendment pending:

Strike out the word "fate" and insert the word "welfare" in the place thereof; also, strike out the word "never" and insert the word "not" therefor.

Mr. HOWELL made a few remarks in support of his amendment, saying he desired that Missouri should not be tied in regard to her action in the future.

Mr. STEWART declared himself in favor of the report as it came from the Committee on Federal Relations. He took strong grounds against secession, and denounced it as a political heresy. The proper way for Missouri to redress her grievances, was to stay in the Union. While he could not but acknowledge the abstract right of a Government to resort to coercion in enforcing its laws, still he regarded its exercise as inexpedient and productive of civil war, should the Federal Government attempt to coerce the seceding States. It would be suicidal for Missouri to secede. A man might have the moral power and the physical power to take his life, yet he would hardly commit the act provided no good would come from it. He held that Missouri could have her rights better protected in the Union than out of the Union, and concluded by paying an eloquent tribute to the stars and stripes.

Pending the consideration of Mr. HOWELL'S amendment, a motion was made to adjourn, which was carried.

ELEVENTH DAY.

ST. LOUIS, March 13th, 1861.

Met at 10 o'clock.

Prayer by the Chaplain.

Journal read and approved.

Mr. HUDGINS. Mr. President—

Mr. HOWELL. Will the gentleman give way for a moment and allow me to make a personal explanation.

Mr. HUDGINS. I will do so.

Mr. HOWELL. I wish to remark that I was not well comprehended by the reporter last evening, in the explanation I gave of the amendment I offered to the amendment of the gentleman from Clay. I desire to remark here, that I am opposed to the secession of Missouri. I am opposed to any revolutionary action of Missouri under the existing circumstances or under circumstances that we may reasonably anticipate in the future. While I occupy this position, and was elected by my people upon this position, I protest against committing Missouri, in all time to come, to passive obedience under all and every circumstance that may transpire. I am willing to vote that Missouri is now opposed to furnishing men and money, under existing circumstances, or under the circumstances that I hope we may reasonably anticipate, to aid the Seceding States in any belligerent efforts toward the General Government. I am equally, sir, opposed to any action by the General Government, with reference to coercing by military force, or otherwise, the Seceded States, or any State, back into obedience to that Government. If we declare that we are opposed for all time to come, to Missouri taking any action under any or all circumstances, in opposition to the General Government, I desire to be as limitless in reference to coercion against the States who are now acting as they may concieve in vindication of their rights. If this Govvernment can be preserved it will have to be by compromise and by additional guarantees to the rights of the slaveholding States.

Mr. MOSS. With the permission of my friend from Andrew, (Mr. Hudgins,) I rise for the purpose of accepting the amendment offered by the gentleman from Monroe. In doing so I am not disposed to be arbitrary in a matter of this sort to my friends who advocate this amendment, and I am not disposed to prolong the debate of this Convention in reference to a mere play upon words. This amendment proposes to substitute "not" for the word "never," and "welfare" for "fate," Now, I do not think that materially changes my amendment, while I think my position in offering the amendment, just as it is, with the word "fate" in place of "welfare," &c. I, therefore, for the purpose of shortening the debate and gratifying some of my friends, accept the amendment offered by the gentleman from Monroe.

Mr. HUDGINS. *Mr. President and Gentlemen of the Convention:* I hope that it will be the pleasure of this Convention to hear me this morning, calmly and dispassionately, and to allow me the privilege of following the example of those who have preceded me in the discussion of this question, to debate to some extent the whole question submitted in the resolutions of the Committee on Federal Relations. I had as well, I presume, and better, so far as time is concerned, say what I have to say this morning, while I am up, if I may be indulged in doing so. But little, if anything, has been said from my district. I hail from that portion of country that is surrounded almost by free States—Kansas within five miles of my residence, and Iowa within fifty miles. You might suppose, from my position, that I would be better prepared to go further North, even in pursuit of Sir John Franklin, among the icebergs of the cold regions, than other gentlemen who have preceded me.

The question, gentlemen of the Convention, that we have under consideration, is a very important one. I indorse much that has been said by all the speakers that have addressed us upon this subject. We cannot estimate too highly the worth of the American Union. Missouri has a right to be heard, and she will be felt in the settlement of this controversy. Her appeals will not be disregarded by the North or by the South. We are not—as instructed by the resolutions that are before us this morning from the Committee on Federal Relations—we are not ready now to dissolve our connection with the General Government. Missouri, of all the States in this Union, has the greatest interest in the perpetuity of the Government of these United States.

Our position is such that we should use more efforts and more exertions and be more conservative and compromising than any other State; and hence, to use a common phrase, we should hasten leisurely upon a subject of so much importance. If we connect ourselves with a Southern Republic, we lose our central position and we become a border State at the extreme end of that Republic, and our position will be unfavorable, as we have intimated in the report before us. If we connect ourselves—if a dissolution should take place, and this Government should be destroyed, and we should take our position with the Northern Republic, we should then have an unenviable position. We should then be a border State in that Republic, and we would necessarily have, if the other remaining States should withdraw from the Union, the remainining slave States, as a matter of course our constitution would have to undergo a change, and a very important change. Of course, then, everything is to be gained by compromising. Our interest is, if possible, to stand as other gentlemen have been pleased to say, between the North and the South.

Our position is to be a conservative position. We can take a position for compromise, such as will leave the integrity and honor of our people untarnished and uncompromised, and thereby reinstate the old Union and settle all difficulties, so that the Stars and Stripes of our country may once more wave over a united and happy people—North, South, East and West. We can do more, in my judgment, to accomplish this, and we can take less in the compromise, than any other State. The very thought of dissolving the Union, the very thought of our not being American citizens—that the flag that has passed over all the seas in the civilized world, is to be taken down, and this country, with all its privileges, all its advantages, civil and religious, to be blotted out—it would be like the sun dying in the heavens and the stars falling from their places. But we have been told by one of the gentlemen who addressed us on yesterday, the gentleman from Pike, (Mr. Henderson,) that there was no danger, that the probability of a dissolution of the Union was not true, that our institutions were not imperilled at the present time to any great extent. Would to God that I could indorse that sentiment. I would be gratified to-day if I could feel that it was true—if I could feel that in the future toil and labor might be able to accomplish that result. This Government, with its Constitution, with its privileges, is too dear for us to contemplate surrendering. Its pillars were laid by our Revolutionary sires, baptised in their tears and prayers, and cemented in their blood. May Heaven forbid we should ever surrender it or give it up. The voices from the tombs of those who fought for our liberties, those who bled and obtained those privileges, rise up and speak to us as American citizens, as sons of that noble ancestry, and are saying: Save the country; dash not that cup of so many millions of blessings, in a moment of passion and excitement, from your lips.

I am not surprised, Mr. President and gentlemen of the Convention, at the vast concourse of intelligent and respectable citizens, male and female, that crowd from day to day this hall. We never can consent—the American people never will willingly consent—to give up all these privileges; and while our country is imperilled, while we feel there is danger, while anxiety hangs upon every countenance, and while every spark of intelligence is looked forward to with the greatest interest, and while this is the condition of things, it is not surprising that so many should collect themselves together in order to hear what may be said. The people of the State, whom we now represent in this Convention, feel a lively interest, and look for some action that will stay the further destruction of the Government and bring back, if possible, those States that have withdrawn. I envy not that cold heart that is capable of looking back to the past, and of observing the privileges which the American citizens have enjoyed with indifference. I envy not that heart that could look to a distracted country, as this now is, and has been for months, without feelings of emotion and feelings of dread. If the hand is not stayed—if passion is not controlled—if reason does not resume its throne, we may read our history and our fate in the history of the past.—We have but only to look at the ancient governments, and see what has been their fate. We have only to look to Rome, who once gave the laws and controlled the civilized world. She is in ruins now. We have only to look to that nation that received their laws from God himself, and which have been trodden down for two thousand years—who were driven from the temple and scattered to the four quarters of the earth, and are now a by-word among all nations of the earth. If we destroy this Government; if our Constitution is destroyed and our flag is abandoned; if these States are to be divided and subdivided and this Union is to be dissolved, we need not expect a better fate than the Jews.

So far, gentlemen of the Convention, as I am concerned myself, this question would not press me so hard; I would not feel its power, I would not sink under its weight. I have enjoyed the blessings of the best Government and the purest that has ever been enjoyed by men. I have had its rich blessings for fifty years; I have enjoyed them long enough to have them taken from me; and were I consigned to a prison I ought not to complain. Thirty years ago, as a youth, I passed through your city, seeking a home in the distant West. I have toiled, as members of this Convention know, from that time until the present. Destroy this Government, and all my labors are gone, and I am as poor as I was when I passed through this city, thirty years ago. But this is not all. If these shall be swept from me, and I consigned to a prison the remainder of my days, it is not the worst side of the picture. I feel for the rising generation; my sympathies are for my home and family; and my desire is to leave to them the privileges I had when a child—to leave to them a country with all its privileges—leave to them a government that can protect them. To be unable to do this would be painful indeed. Hence I come here with feelings, gentlemen of the Convention, strong for the preservation of this Union. So far as my State is concerned, so far as the interest of my children is concerned, and so far as the desire I have that future generations shall enjoy the privileges I have enjoyed, I desire the preservation of this Union, and I desire that while time rolls on, and rolls on, this country shall become more happy, this Government more prosperous. So far as these desires are concerned, they burn in my bosom, and I apprehend they burn in the bosom of every member of this Convention, and of every individual of this large assembly.

I do not believe it is necessary for such a test as to have men again renew their pledges and attachments to a country like ours. I cannot realize how an American citizen can ever forget its honor and integrity. I cannot imagine a heart so cold and corrupt as to desire the destruction of our Government. I envy no man such feelings, and I presume none have that feeling that would desire this Government destroyed. Our Committee have traced the causes that have led to our present position; they have told us that a party has grown up in the Northern States; that they have been engaged for years in operations against the South; that they pointed out the means they have been using for twenty, thirty and forty years, in endeavoring to overthrow the institutions of the slaveholding States, and in the language of the President of the United States, that the irrepressible conflict had commenced; that this Government could not exist part slave and part free; that it must all be one or all the other, and that slavery must be confined to the States where it exists and the public mind, the Northern mind, must be satisfied that it is in a condition for rapid extinction. This sentiment is the summing up. This is the text that has become the fundamental doctrine of that party that has grown up in opposition to slavery. They pretend that their consciences, under the delusion of religious opinions, and the prostitution of the sacred desk and of the common schools, and of the family circle, have been misled and misdirected by designing individuals until they now pretend that their consciences render it necessary that they should interfere with slavery in the States. They do not remember that the Constitution of the United States authorizes it; they seem to forget that the laws of this State, for which they are not responsible, and they seem to forget the glorious volume of inspiration which sanctions it. They had as well deny that the Bible sanctions the relation of husband and wife, parent and child, as that of master and servant. Their consciences are misguided and misdirected altogether, and if I had the command of the missionary societies I would send missionaries, by thousands, to the Northern States, in order to teach their ministers and those who have departed from the correct rules, to attend to their own institutions, attend to their own system of slavery, and attend to their own business, and let the institutions of other States alone. Missouri is not responsible for the trouble that now exists in the Government. She is not responsible for Northern fanaticism on the subject of slavery. She is not responsible for the withdrawing from the Union of seven States, and she is not responsible for the excitement in other slave States in this Union. She is not responsible for the institution of slavery. Her action in the future and her conduct hereafter may make her responsible. The stand that she takes in this Convention and the course she now pursues is one of importance, and her action, as I remarked before, will be looked to with great interest. We should not forget, while we consider this subject, that when the compact was entered into under our Constitution, that there were twelve slave and one free State that ratified the Constitution of the United States. These twelve States went into this compact and framed the Constitution for the South and the slaveholding States. Many of them were patriots who fought for our liberties. There were many of them, who engaged in making this Constitution and establishing slavery in these States, fresh from the battlefields where they had aided in burying patriots that fought and fell on American soil.

They have left this Constitution, gentlemen of the Convention, and now Northern fanaticism has arisen and the question has presented itself to the slave holding States of the Union, are we willing to submit? are we willing that those sires of ours, that all their sacrifice and toil—are we willing that it shall be said that this Constitution that has been handed down to us by our sires, that this Constitution is "a covenant with death and a league with hell," because slavery was sanctioned? Are we willing to have this reproach heaped upon us? Are we willing that slave holders shall be called harsh names of villain, wretch, &c., and submit to all this? Is it not right that we should feel a desire to maintain the honor of a sovereign State, its Constitution and laws? Is American liberty short of this? Is it not our duty, gentlemen of the Convention, to have a reverence and respect for those institutions that were handed down to us from those pure patriots and statesmen whose love of country was not doubted and could not be questioned? Have the sons of that noble ancestry and of those noble sires, have they degenerated so that they are willing to become submissionists, so that Northern fanaticism shall rule, govern and control our institutions? I love my country, I love its honor, Constitution and laws, and I love its institutions; but with all these I cannot sacrifice its honor, and I could not make myself a submissionist for a moment. It would be unmaking me, and I should have to be re-created with less feelings of resentment than even the vilest creature. Even the reptile that crawls upon the earth when you put your foot upon it will resent the action. In expressing my feelings upon this subject permit me to say that I have no sympathy with the blind zeal and fanaticism of the North, and I hold they have no right to say anything about the institutions of other States. They are no more responsible, as the report says, for slavery in the slave States, than they are for its existence in other countries; they have enough to do to attend to slavery at home. I rejoice that the slave States have never been charged with meddling with the institutions of the non-slaveholding States. While this report states that the slave States have passed laws that have been unconstitutional, I thank God, I remember that these laws have not been against our Northern brethren; they have not been calculated to deprive them of their rights of property or honor. They have affected our own citizens, and they have been errors of legislation without intention of wrong or our design to injure any one. The laws of which we complain are the laws which have been passed against the Federal Government, against the rights of the Southern States, against the rights of the slaveholders, and we have the right to complain of these laws. It is making a wrong impression to say that *all* the States have passed unconstitutional laws. After this compact had been entered into, and when it was entered into by these thirteen States, it was never thought for a moment that the Constitution was to protect a majority against the minority. Massachusetts would never have gone into the compact if an intimation had been made the twelve States would seek to force slavery upon them and change their Constitution. The slave States have been content that the institutions of the free States should remain unmolested, and they have not sought to change them or make any inroads upon their Constitution or laws. We find, gentlemen of the Convention, that seven States—some say they have seceded, others call it rebellion, others disunion, others that they have withdrawn—while the President of the United States, denies that they have, or that they are out of the Union—I care not what you call it—it matters not so far as the interest of Missouri is concerned whether it is disunion, whether it is rebellion, yet they have repealed the resolution that ratified the Constitution of the United States, and as far as legislation is concerned, as far as the acts of their people can go upon a question of this sort, they have said we withdraw ourselves from all privileges under the Constitution of the United States. I do not believe that the Constitution of the United States authorizes a State to secede, to rebel or withdraw. I do not say that secession is constitutional. I do not believe it, as a lawyer, that any provision is made in the Constitution for a State to secede, or withdraw, or dissolve its connection with the General Government.

No one will contend that this right is guaranteed by the Constitution of the United States. I understand, gentlemen of the Convention, that the power of this Government is in the people; that the people have transferred or delegated to them a certain portion of that power in the State Legislature, in making sovereign States. They act as their agents. I understand these sovereign States have transferred certain powers to the General Government. I understand that whatever is not expressed in the Constitution, whatever power is not given, remains among the people as their reserved rights. In order to ascertain what power the sovereign people have delegated, we will examine and see what rights they have conferred upon parties authorized to act in general convention, and whatever is not expressed there and implied in that instrument, of right belongs to the people themselves. There is a principle retained by the people—there is a principle that is retained by all nations—there is a right which they have, as was declared by our fathers in the Declaration of Independence, that whenever a government becomes oppressive they may throw it off by revolution. They may say we have delegated these powers. We supposed it was for our good and common interest when we went into this compact, but we have found out it is oppressive and not to be borne; and in the language then used by those who signed the declaration of independence, we have the right to throw it off. It is not a right under the Constitution, but it is a right with us retained by the people themselves. It is not delegated, and it was never intended to confer their rights as a sovereign people; it was never intended to give up all of their authority, and make a Government that they never could get rid of. I take the position, then, that the Constitution of the United States gives no right to any Southern State to withdraw, or to secede, or to have the right of rebellion. But there is a moral question in this: Has a State the right, or have seven States, or, as we see before us now, have they the right, or had they the right, morally, to throw off this Government, to relinquish all its honors or privileges, and abandon them all? I am not willing, gentlemen of the Convention, to deal in epithets such as traitor or villain in regard to the Southern people. I can look back, and in the language of an individual leaving his country, I can say to the Southern people—I can say, with all your faults I love you still. I desire, gentlemen of the Convention, to see these States reunited, if possible, but I know the Southern people, and while you tell me and this Convention that it will not do to threaten the North, I tell you it will not do to threaten the South, either. If they are ever to come under the flag of our country again, it is not by force, threats or abuse—not by the epithet of traitor, tory or villain. I take it that when a Convention of Missouri, that has been elected by your people who have debated this question at home—who have debated it in their country school houses and court houses, and all through the country, and when they have debated this question in their families, and in every relation that they sustain toward each other—and when we assemble here fresh from that people—should not our action be respected by South Carolina, Massachusetts and other States in the Union? I should be greatly mortified if the name of traitor should be used to those who take a part in this Convention, and those who believe certain things should be done, and certain things maintained. What I ask from other States I am willing to mete out to others myself. I know the feeling of the people of the Southern States. I know how they view the election of a sectional President, who maintains that slavery must be put in a course of ultimate extinction. I know they look with a great deal of apprehension and fear. I believe in their courage and fidelity to their country. When they called their statesmen together they debated this question well and freely, and went into the debates and consultation in regard to this great question of severing themselves from the country, and when they gravely decided to do this, and I concede to this people that they have done what they think is for their interest—for the interest of the old, the middle aged, the rising generation, and the generation to come—I do not believe the leading men there are traitors—not at all; I believe they act from principle, and although they may have been misguided I believe they act from a principle that animated their bosoms, however wrong it might be, for their children and their children's children. I am willing to let them give their reasons; I am willing to hear their reasons. They say to the Northern people that our reason for thus acting and throwing off this Government, is, that you have increased your numbers until you have elected a sectional President, and one that has declared doctrines that will overthrow our institutions and ruin us. Our wells will be poisoned and the lives of our citizens will be imperilled, and our dwellings be destroyed by incendiaries urged on by Northern fanatics, and sent into this country with the works of death and destruction in their hands. They say to the Northern people, when our fathers went into this compact with you, when they signed this article, when they indorsed the Constitution, slavery was then in our State Constitutions, and you knew it when you went into a compact with us; you covenanted with us and we with you, and we held the rights of States and citizens of States, and that they should be preserved. You went into a covenant with us that whenever slaves escaped, you would return them. They say now we have four hundred thousand millions of slave property and are yet called thieves, robbers and villains by you because we own property that we inherited from our revolutionary sires, and under the Constitution that they made and that we are bound to protect. They say to us, you entered into this compact as partners with us; that you have passed laws in your legislatures making it difficult for us to get our slaves. You have passed laws to imprison us in some instances, and while we love the Constitution and the country, yet we love our institutions, and as we find there is no hope of their being protected, we have taken this step, and thrown off the Government, and will you let us go in peace. We want no bloodshed. We want our institutions, and we will give up the Government with all its powers, or, as a last resort, we will attempt to throw it off. Will you permit us to do it?

Permit me to read an extract from an address delivered by John Quincy Adams, before the N. York Historical Society, in 1839, at the jubilee of the Constitution. His language is this:

"Nations acknowledge no judge between them on earth and their governments, from necessity, must, in their intercourse with each other, decide when the failure of party to a contract to perform its obligations absolves the other from the reciprocal fulfillment of his own. But this lust of earthly powers is not necessary to the freedom or independence of States, connected together by the immediate action of the people, of whom they consist. To the people alone is there reserved, as well the dissolving as the constituent power, and that power can be exercised by them only under the tie of conscience, binding them to the retributive justice of heaven.

"Several sovereign and independent States may unite themselves by a perpetual confederacy, without ceasing to be, each individually, a perfect State. They will together constitute a Federal Republic: their joint deliberations will not impair the sovereignty of each member, though they may, in certain respects, put some restraints on the exercise of it, in virtue of voluntary engagements. A person does not cease to be free and independent when he is obliged to fulfill engagements which he has voluntarily contracted."—[Vattel's Law of Nations, book 1, chap. 1.

Also the following from a speech by Webster:

"I do not hesitate to say and repeat that if the Northern States refuse willfully and deliberately to carry into effect that part of the Constitution which respects the restoration of fugitive slaves, the South would no longer be bound to observe the compact. A bargain broken on one side is broken on all sides."

Gentlemen of the Convention, I give you their reasons. When they are brought back—and permit me to say that I do not stand here as an apologist for them, but I am willing their reasons should be given—they are our brethren, and we may be reunited again; but when they are brought back, it is to be on fair and honorable terms. And Missouri, if she expects to reach the Southern States in this matter—and that is one of her objects—if she expects to reach them, she will have to reach them like patriots. The resolution before you is objected to by many individuals, because they understand there are threats in it; that whatever you may say about the South, however much you may talk about treason in the South and traitors, that no breath of censure must go to the North! If Missouri is to settle this matter, she must go with Kentucky, Virginia, Maryland and North Carolina, and what have they said? What is the course these Border States have declared on this very subject in the resolution now under consideration? I desire to read for a moment the resolution passed in Kentucky, that you may see the tone of that State and what they regard as the true position for a Southern State to take in order to settle this matter. I read from the resolutions recently passed by the Kentucky Legislature.

"*Resolved*, That this General Assembly has heard with profound regret of the resolutions recently adopted by the States of New York, Ohio, Maine, and Massachusetts, tendering men and money to the President of the United States, to be used in coercing certain sovereign States of the South into obedience to the Federal Government.

"*Resolved*, That this General Assembly receives the action of the Legislatures of New York, Ohio, Maine and Massachusetts, as the indication of a purpose upon the part of the people of those States to further complicate existing difficulties, by forcing the people of the South to the extremity of submission or resistance; and so regarding it, the Governor of the State of Kentucky is hereby requested to inform the Executives of the States of New York, Ohio, Maine, and Massachusetts, that it is the opinion of this General Assembly that whenever the authorities of those States shall send armed forces to the South for the purpose indicated in said resolutions, the people of Kentucky, uniting with their brethren of the South, will, as one man, resist such invasion of the soil of the South at all hazards and to the last extremity."

They not only say that they will not help coerce the Southern States, but they say if the Northern States send men for that purpose, that Kentucky will join the South, and resist to the last extremity any such attempt. Yet one of the orators in this Convention, if he had been in the Kentucky Legislature, would have said: "Do not use that language; you will insult the Abolitionists of the North, and all hope of settlement is gone." Kentucky was bold enough, and had nerve enough to meet such a question as this. Although she did not approve of the course of the South, she declared, with but six dissenting voices in her Legislature, that she was opposed to any policy or any attempt that might be made to coerce these States. She declared that she would make common cause with the South, and resist to the last extremity. A heresy in this Convention then, is the proposition or a declaration that if coercion is attempted, we will not aid; and this is said to be an insult to the Northern States. It is said, if it is passed, the Northern States will be offended, and that no compromise can be made. Are we acting with the Border States? *Are we taking the bold position that they are sueing for compromise?* If we vote down the resolution, we say by voting it down, (taking the language that has been used upon this floor—the substance of it,) that we will furnish men and money. There are two sides to this question. One is that we will not furnish men and money; but, if we vote this resolution down, we say that we will furnish men and money, and are ready so to do. Without undertaking at present to determine, gentlemen of the Convention, whether the General Government has the right to coerce the Southern States, under the Constitution, a question that I intend yet to discuss before the close of my remarks—but, before taking it up, I propose to inquire for a moment whether, if the General Government has the right, it should be exercised towards these States. Five millions of people have taken a position that they have a right to throw off this Government, and have gone out of the United States. I will not debate the question whether they have succeeded, or whether they will succeed or not, but I desire to inquire whether Missouri believes, as intimated by two or three members on this floor, that it would be right to coerce these States? Think for a moment of an army marching upon the States in order to bring them into subjection. Let a Northern army invade the Southern States, let them start from Ohio or New York, go down and attempt to bring those States into subjection. They may lay waste their cities, they may destroy their people, they may succeed in battle, they may subjugate the country and destroy the inhabitants, but tell me, then, if the Union is sustained; tell me, then, if those who are left to tell the news will love the Northern States, after they have been scourged, and after the rivers have run with the blood of their kindred? Tell me how long the earth will revolve on its axis, or time roll on, till the Southern people will forget the outrages of the Northern armies? The mother will take her children to the grave of their father, and tell them that he was shot down while he was maintaining his rights against Northern fanatics: "Here lies his grave." The grandchildren and the great grandchildren would be brought to it, and for ages their descendants would be told that their ancestor was slain in defense of his country; and while time rolled on, thousands of years would not drive from their hearts the outrages and injuries inflicted upon their sires. Never, never, can these States be brought back by the power of the sword. No such madness was ever advocated. I cannot believe that a man would for one moment advocate the marching of an army upon the North or the South, when such an attempt would dissolve this Union beyond the power of reconstruction. As a distinguished son of Illinois has said: "When an army is marched into these States, and when blood is shed, the sun of American liberty will set forever behind a sea of blood, and will rise no more."

If the Convention will indulge me one moment I will read one sentence upon this very subject, from the Governor of Virginia, and I desire to read it in connection with what I have said.—Speaking in reference to the propositions from New York and Ohio, he said:

"This I understand to be a declaration of their readiness and willingness to sacrifice the men and money of that State, in the effort to coerce the slaveholding States to submission to Federal authority. The Governor and Legislature of New York ought to know that the sword has never reconciled differences of opinion. Military coercion can never perpetuate the existence of this Union. When the affections of the people are withdrawn from the Government, an attempt at coercion can have no other effect than to exasperate the people threatened to be coerced. Blood, shed in civil strife, can only enrich the soil that must speedily produce "a harvest of woe."

Whether the Government of the United States has the power or not to coerce under the Constitution, I apprehend there is but one feeling, and there ought to be but one in this Convention, and that is, that that power ought not, and, in the language of Kentucky and Virginia and other slaveholding States, must not be resorted to. When an effort is made, all efforts to reunite the Government—all efforts for peace are at once gone. Gentlemen of the Convention, the resolution that is furnished by the Committee on Federal Relations opposes coercion, and the amendment now under consideration says that we will not furnish men or money for that purpose. We have looked at the effect of this question, and the ultimate destruction, beyond redemption, if coercion is attempted. But we should not as a Convention say that we will not furnish men or money if the Constitution of the United States authorizes the General Government to coerce a defaulting or seceding State. We should not pass this resolution when the resolution itself would be unconstitutional, and this brings us to the question, has the General Government the power under the Constitution to coerce a State? I have said that a State had no constitutional right to secede. The Constitution has made no provision for the dissolution of the Union, and I will state, in addition to this, that while it has made no provision for dissolving the Union, for a State going out, it has withheld all provision and all power from the General Government to coerce a state that puts itself in default. I desire to be understood in this affirmation. I affirm that the Constitution does not make any provision to coerce any State, North or South. Fortunately for the country, these very questions were considered and anticipated in the debates when the Constitution was framed. We have left upon the record the testimony and debates of men who framed the Federal Constitution. It was proposed, in making that Constitution, when they looked to the future and anticipated the troubles that might arise between the North and the South, and between the different sections of the Confederacy, and they felt that some power was necessary. My friend from Pike yesterday said that the General Government had the power to declare war, and, having the power to declare war, we ought not to pass a resolution that we would not aid.. I emphatically deny that the General Government has any power to declare war against any State in this Union. They gave the Government the power to declare war against a foreign nation, but when the proposition was made to give the power to declare war against a seceding State, it was denied. The very idea, to the framers of the Constitution, of the General Government carrying the flag of the country to subdue one member of the Confederacy—to subdue a sovereign State—was too horrible for them to entertain, and they voted it down. It was still felt that something was necessary to be done—that there should be some power in the General Government to keep the sovereign States in subjection, and the proposition was made to give all the authority to the Federal Government to force the States into obedience—the power of coercion—and upon that subject the debates sustain fully the position I have assumed, that it was a dangerous power that ought not to be placed in the Federal Government. In the Madison papers, 140, we have the following language from Mr. Madison, on the question of giving the power of the Federal Government to force a seceding State:

"Mr. Madison observed, that the more he reflected on the use of force, the more he doubted the practicability, the justice, and the efficacy of it, when applied to people collectively, and not individually. A union of the States containing such an ingredient seemed to provide for its own destruction. The use of force against a State would look more like a declaration of war than an infliction of punishment, and would probably be considered by the party attacked as a dissolution of all previous compacts by which it might be bound. He hoped that such a system would be framed as might render this resource unnecessary, and moved that the clause be postponed.

"This motion was agreed to, *nem. con.*

"The committee then rose, and the House adjourned."

I need not read from the debates upon this subject the reasons then given why force should not be given to the Federal Government. After this question had been fully debated, and the Convention had voted down the proposition to give the Federal Government the power to force a State, it was believed that the power should be given to negative the laws of States that came in conflict with the General Government, and this question was debated at some length, and with great interest. They said it was necessary to have some provision to bind the sovereign States together, and in case of violation by legislation or otherwise, that they might be controlled. But, when this question was considered, it was decided that the mildest form of force ought not to be placed in the Constitution, and it was withheld and voted down. Can any gentleman affirm, then, that the power to coerce or declare war against a State is in the Constitution, when it was proposed and voted down? It is not expressed—it is not implied. The subject was debated; it was proposed, and it was rejected; and it is not in the Constitution. Can any one say, then, that the General Government has the power to coerce a State? It is not expressed in the Constitution. Is it implied? It was proposed, it was debated, it was voted down, and then it cannot be implied. Will any man dare to take the position to negative the laws passed by a seceding State? I tell you, when the Constitution was made, the subject was proposed. That subject was considered, and our fathers decided it was a dangerous power and would destroy the Constitution itself. No man can then affirm that the General Government has the power either to declare war for or against. No man can affirm that the Constitution, expressed or implied, authorizes the coercion of any State in this Union. No man can affirm that the Constitution of the United States gives the power to negative any law or any act passed by a sovereign State. It was proposed in the Convention that framed the Constitution; it was debated and it was voted down. Mr. Mason, of Virginia, said that such power was dangerous to be placed in the Federal Government.

"The most jarring elements of nature, fire and water themselves, are not more incompatible than such a mixture of civil liberty and military execution. Will the militia march from one State into another, in order to collect the arrears of taxes from the delinquent members of the Republic? Will they maintain an army for this purpose? Will not the citizens of the invaded States assist one another, till they rise as one man and shake off the Union altogether? Rebellion is the only case in which the military force of the State can be properly exerted against its citizens. In one point of view, he was struck with horror at the prospect of recurring to this expedient. To punish the non-payment of taxes with death was a severity not yet adopted by despotism itself; yet this unexampled cruelty would be mercy compared to a military collection of revenue, in which the bayonet could make no discrimination between the innocent and the guilty, He took this occasion to repeat, that, notwithstanding his solicitude to establish a national government, he never would agree to abolish the State governments, or render them absolutely insignificant. They were as necessary as the General Government, and he would be equally careful to preserve them. He was aware of the difficulty of drawing the line between them, but hoped it was not insurmountable. The Convention, though comprising so many distinguished characters, could not be expected to make a faultless government; and he would prefer trusting to posterity the amendment of its defects, rather than to push the experiment too far."

Mr. President and gentlemen of the Convention, we have arrived at the point, and we affirm that we have settled it beyond the power of refutation, that this Federal Government cannot march an armed force, by a declaration of war, into a defaulting State—that it cannot coerce—that there is no power to negative a law. I must confess that all the indications from the Government we are under seem to be to the effect that the present Chief Executive of the United States intended to start the doctrine of coercion, and all that has been said by that party in Congress, except a few, warrant me in the conclusion that it was their settled determination to coerce the Southern States. I trust they have abandoned that course. I trust, on examining the laws they have to enforce, and the powers, that they will abandon it. But I affirm—acting the part of an humble member of the people of Missouri—that Abraham Lincoln cannot march an army into one of the seven States unless it is under the higher law. If he goes there without the Constitution, without the sanction of law, he goes as an instrument to destroy the last hope of rebuilding or reconstructiong the Union—and the sun of American liberty, as before remarked, will set behind a sea of blood. Then if he has no constitutional right, if the law forbid, can Missouri not have courage enough in Convention; is she not old enough; is there not patriotic blood enough in this Convention to stand by the rights of the Constitution of the State of Missouri, to say that if you go under the higher law into that war, we will not aid you in men or money. Why, it is strange that a man that lives in a slaveholding State—it is strange that a man who believes our institutions are right, could refuse to say that the sons of Missouri will not engage in a war like this. It would be dreadful enough for us to go into these States—it would be dreadful enough to do this, if the Constitution required, and if our honor and our flag required us to go. That we should go into a land where we were born, where the church yards are filled with our kindred, and where we should shed the blood of our kindred; and it would be too horrible for human nature to contemplate the consequences. It is a spectacle at which humanity, as this report says, would shrink and fly away. I say Missouri never will do it. Her Convention may say so, but its members will be compelled to select a commander out of their own forces to fight their own battles. I tell you when an army engages in a war against the Constitution of the United States, against the laws of the land, against humanity, the God of battles that sustained Washington in the American Army, will be upon the side of that oppressed people, however wrong they may be, and victory in every battle will belong to them. Our friends in Illinois say, believing that Lincoln intends coercion, you cannot do it. They say you shall not do it. They say our friends and kindred are in those States, and we want this Government reunited, and it cannot be done if you commence coercing those States, and, raise your army in Springfield or Chicago, and attempt to march it into those States, it will first have to march over our dead bodies.

Will the Missouri Convention be less patriotic and less bold than the State of Illinois? They say, we do not approve of the course of the South; we are sorry they have taken the step, but the North is in fault, and their orators say, in language not to be misunderstood, that it was the election of a President upon a sectional platform that nullified the Constitution and Southern rights. Ohio speaks out through her two hundred thousand Democrats, and they send greeting North and South, not in language you have heard upon this floor—not at all. They say to the North, put yourself right upon the record, repeal your obnoxious laws—put yourself right before you complain of the action of the Southern States. Why is it, then, gentlemen of the Convention, that we cannot say to the North that you have done slightly wrong—that we dare not tell them of their errors? Why, is it that we will give offense? I want to speak like a man, I want to speak in a conservative tone, and I want to give no offense to the North or South; but I want to demand what is right and submit to nothing that is wrong, that will compromise the honor of the State.

Gentlemen of the Convention, I am satisfied I am wearying your patience, and speaking longer than I should, but I do not expect to trouble you again, and as my District has said but little in this Convention, I desire to consider one or two other questions. I pass over a number of extracts from these debates that I intended to have read, but I see it will take too much time. I desire, however, to give the following resolution, which was drawn by Mr. Jefferson:

"*Resolved*, That the several States composing the United States of America are not united on the principle of unlimited submission to their General Government; but that by compact, under the style and title of a Constitution for the United States, and of amendments thereto, they constituted a General Government for special purposes, delegated to that Government certain definite powers, reserving each State to itself the residuary mass of right to their own self-government; and that whensoever the General Government assumes undelegated powers, its acts are unauthoritative, void, and of no force; that to this compact each State acceded as a State, and is an integral party; that this Government, created by this compact, was not made the exclusive or final judge of the extent of the powers delegated to itself, since that would have made its discretion, and not the Constitution, the measure of its power; *but that as in all other cases of compact among parties having no common judge, each party has an equal right to judge for itself as well of infractions as of the mode and measure of redress.*"

But I propose to inquire for a short time what Missouri should do and what position she should occupy, that I might lay down before you what I think to be the desire of the people, and that I may reflect their will, and that they may see that I am carrying out my pledges and the promises I made to them. I regret, exceedingly, that the distinguished gentleman that read the report has said, or used the argument, that if Missouri should connect herself with a Southern Condfederacy, it would be annihilation. I cannot think the one hundred and seventy thousand freemen of this State, with friends in Illinois, Iowa and in Kansas; I cannot realize, that under these circumstances, that this mighty State of ours can be annihilated. I do not indorse the sentiment. I have all respect for that distinguished gentlemen, and the Committee which reported the resolution, but I deny the position assumed there, that if Missouri should connect herself with the Southern Confederacy she would be annihilated. I am willing to admit, that if we connect ourselves with the North—if there is a division, and the other fourteen slave States shall form a Southern Republic—and we should go with the North, under those circumstances, as I before remarked, we will sustain a loss. If we go with the South we sustain a loss, beyond all sort of doubt. Her taxes will be burdensome, and we shall have to endure many privations that we do not experience at present. Seven States are out of the Union now, and others are saying that, unless there are constitutional guarantees, they will go with the Southern States. Is it intended by this Convention—is that the tone and sentiment that is to go North and South—that if the Government is dissolved, if two confederacies are established, that Missouri shall remain in the Northern Confederacy, and prefer it to the South? That may be the sentiment of every member of this Convention but one. I assert in my place to-day, and I have the independence to do it—and I want that recorded, now, and in all future time—that if the other remaining slave States shall form a separate Confederacy—when all hope of reuniting the Government is gone, when the heart of the North that has been so cold has grown colder, and they shall say, in the language of Wade: "The day of compromise is past," we have a great national victory upon a sectional platform, and we are not anxious to compromise—then, I say, when that time shall come, when this Union is dissolved, when there is a Northern and Southern Confederacy, then, for one, I am in favor of Missouri taking her stand with her Southern bretheren in the Southern States. [Applause.]

The **Chair**. Those gentlemen who applauded must leave the galleries. Mr. Sergeant-at-Arms, you will see that those gentlemen who have applauded will leave the galleries at once. I have requested gentlemen politely long enough, to refrain from demonstrations of this character, and I will and must preserve order.

Mr. **Gantt**. I hope that order will be limited to those who have offended.

Mr. **Bass**. The time for adjournment has arrived. I move that the Convention now adjourn.

Mr. **Birch**. Before the motion is put, I desire to present a report.

Mr. **Moss**. I hope the motion to adjourn will be withdrawn. It is not 12 o'clock. The gentleman who is now speaking will have time to get through.

Mr. **Gantt**. I hope so too. I think that by having but one session a day, and by sitting here continuously without the interruption of an adjournment, we can get along with greater convenience to ourselves and better dispatch of business.

Mr. **Bass**. I withdraw the motion to adjourn.

The Secretary then read the report as presented by Mr. Birch, as follows:

The committee, appointed under a resolution of the Convention, adopted on the 11th inst., to inquire into the conspiracy which was deemed to be foreshadowed in a communication that appeared in the *Republican* of that morning, report herewith a communication from Lewis V. Bogy and from Wm. J. Chester, and respectfully submit themselves to such further direction, if any, as the Convention may see fit to give them. If, however, it shall be believed from these statements that any purpose which may have existed to wrest the State from its legitimate relations to the Federal Government by illegal, perverse or revolutionary agencies, has been abandoned in deference to the unfaltering and overwhelming public sentiment with which it has been confronted, it is then further respectfully submitted whether the interests of the public require that any further steps be taken, or any further investigations be prosecuted under the resolution of the Convention.

JAMES H. BIRCH,
CHAS. DRAKE, } Committee.
G. W. ZIMMERMAN,

ST. LOUIS, March 12, 1861.

Messrs. BIRCH, ZIMMERMAN and DRAKE, Committee, &c., Present:

GENTLEMEN: I was summoned yesterday to appear before you, as a Committee, appointed by the State Convention now in session in this city, to testify to certain facts supposed to be within my knowledge. In appearing before you, I wish it distinctly understood that I do so voluntarily, as I deny both the power of the Convention, or that of a committee appointed by it, to summon any citizen of the State to appear before it as a witness; this power belongs to the Grand Juries of the country, and is a power used to ferret out crime by them; but entertaining, as I do, the greatest respect for the Convention as a body called into existence under a law of the State, and also for the members thereof personally, I waive what I consider my right as a citizen, and accordingly appear.

The publication which appeared in the Missouri *Republican*, over the signature of E, is not substantially correct, as containing the substance of a conversation between me and the person who is supposed to be the author of it.

I have read the resolutions of the Convention and the speech of the mover of them, and I must confess that I am at a loss to understand how either could justify the charge made, based on the communication. In justice, however, to the persons who called on me, and who are charged with the crime of treason, I must say that I know nothing whatever to sustain the charge. Certain gentlemen of standing in this city, and who are my personal and political friends, did call on me last week, with a paper which was very well written, setting forth that the time had come—in view of the fact that Virginia had, or would soon join the Southern Confederacy, and carry with her Kentucky and the other Border States—for the friends of Southern rights to come together for consultation, and with a view of agreeing on some line of policy required by the exigencies of the times The conversation between these gentlemen and myself was of a desultory and general character, and it is with hesitation that I consent to trouble you with it, for it really amounts to nothing beyond a legitimate purpose of party organization in which there was nothing improper or wrong, and only with a view of making their action efficient. Although I dissented from them, as to the *propriety of this course, yet my objection was not* because there was anything wrong or improper in the proposition, but because I thought the movement was calculated to do harm, in view of the efforts now being made to unite the Democratic and Bell parties on some common conservative ground to defeat the Black Republicans at the next April election. I furthermore explained to them that according to my understanding of the interests of Missouri, with twenty millions of State Bonds and six to eight mllions of *city and county* Bonds on the markets of the world, and the great interests of the mercantile, manufacturing and industrial portions of the people, we should move, in a matter of this magnitude, with the greatest caution and prudence. Some of the gentlemen present charging me with inconsistency and as a blind follower of the *Missouri Republican*, I replied that the charge was not true, that I was a Southern man, and always had been, and was as much opposed to Black Republicanism as anybody could possibly be, but looking upon the effort as calculated to bring defeat upon us again at the next April election, I was opposed to their movement, and would do all in my power to defeat their purposes.

Much now might be repeated of the same nature, but the matter is too trivial to engage the attention of anybody. I certainly did not understand that any proposition was made to me looking like treason or conspiracy, or that can by any distortion of language or confusion of ideas, amount to the highest crime known to civilized nations. The subject was fair and legitimate, as a purpose for party organization by gentlemen of good standing, and as such I understood it, and opposed it for the reasons already given. My object in speaking of this occurrence to other parties was to get them to unite with me to prevent the proposed organization, believing, if successful, it would again lead to our defeat.

No one regrets this occurrence more than I do, as *it is calculated to place other parties*, as well as myself, in an unpleasant position.

The facts do not in the least justify the action of the Convention, the speech of the mover of the resolutions, or the comments of one of the city papers.

Repeating my sentiments of respect for the Convention, I am, &c., LEWIS V. BOGY.

N. B.—As the action of the Convention in relation to this matter has been the occasion of a good deal of talk in the city, to my prejudice, I have concluded to send a copy of this paper to the *Missouri Republican* for publication to-morrow morning, so that the matter may be set right before the community at once. LEWIS V. BOGY.

ST. LOUIS, March 13.

To Messrs. Birch, Drake and Zimmerman, Committee of the Convention, &c.:

GENTLEMEN: Having appeared before you, in compliance with your subpœna, I proceed to make such a statement as you have requested of me, omitting the name of the person to whom I shall allude; and also declining to swear to any statement at the present time; but will not refuse to surrender the name of the person, or to swear to what I shall have stated, if required to do so by an order of the Convention.

On the second or third day of the session of your Convention in this place, I met with a gentleman, residing in one of the interior counties of the State, one whom I had known as a friend and admirer of Mr. Yancey, of Alabama, and, like that gentleman, a thorough and undisguised secessionist. He told me that your Convention was too conservative, and that, in case you passed no secession ordinance, there would be a concert of action agreed upon throughout the State, whereby the State would, nevertheless, be got out of the Union. He further said, that there were at that time delegates, or committees, in the city from nearly all the principal towns in the State, and that he understood there was to be a meeting of them for the purpose of agreeing upon a definite course and concert of action. He mentioned especially the name of a distinguished citizen of this State, who has encouraged the movement, but whose name, for the reason already stated, I decline to give at present. Two days after this, I met the same gentleman, and the conversation was renewed. He then said that he believed the plan above stated had been abandoned, as it would be useless to attempt to carry it out at present, against what seemed to be the strong Union sentiment that had taken hold of the public mind.

In this statement I have given but the substance of the conversation alluded to, and do not pretend to have stated the words, but the substantial facts. Very Respectfully,

WM. J. CHESTER.

Mr. Hall, of Buchanan. Is it the object to break into the proceedings with that report? If so, I object.

Mr. Birch. I only desire, Mr. President, to move that the report be laid upon the table and printed, so as not to occupy any time of the Convention. I merely desire to get it before the Convention.

The report was ordered to be printed.

Mr. Hudgins. Gentlemen of the Convention, when the interruption occurred, I was affirming that, in my judgment, if there were two republics formed, it was the duty of Missouri to go into the Southern Republic. I desire to make only a statement or two upon this subject and close my remarks. I cannot for one moment think that Missouri intends, or that this Convention will say that it is the duty of Missouri to submit. When I look back over our State, I find that there are nearly one hundred million dollars of slave property in it. I say, our citizens that have been here plowing, and felling timber, and making their farms—that have emigrated from other States—that have settled here to live and die upon Missouri soil, and have buried their dead in it—that have built our roads, our school houses, our mills, churches, and Court Houses all through the State, expect to enjoy these privileges, and leave them for their children. The politicians in the State of Missouri, who presume for one moment that Missouri will sacrifice her honor; that she will give up its constitution and bow down to Northern aggression, are mistaken in regard to a noble and generous people. I tell you, let the slaves go, if go they must; let the real estate be sacrificed, but let our honor as freemen be sustained in the State. Let us show that we will not submit. I can realize the feelings of a Republican, when he desires Missouri to stay with the Northern Confederacy. He desires slavery abolished, and if the State should hold on to the Northern Confederacy it would be abolished in a few years. The man that believes that the slave States have the right to hold slaves, that is willing to accept Northern aggression after fourteen stars have been driven from the Star Spangled Banner, and who wants Missouri to bow with her institutions down to kiss the rod that afflicts her, I tell you that the politician who makes that sale of the State in this Convention, will have to meet justice at the hands of an insulted and outraged people. They never will submit to it. It would ruin them to do it. They are not willing thus to give up their property. Many of them would lose all they had. Moreover they are not willing thus to give them up when the alternative is presented of uniting with the Southern Confederacy, if one is to be made. I say, if I know the feelings of the people of Missouri, and of that portion of the country in which I live, they will stake their destiny with the South. They say, we desire to separate from you in peace—as American citizens we love you, and especially that portion whose hearts beat in unison with ours. But we desire a separation in peace. But when the President of the United States commands Missouri, under the higher law, to shed the blood of our brothers in the South, then I say Missouri should throw herself upon her reserved rights, and, taking the halter in one hand and the sword in the other, tell the President that, when you take the one you can use the other, and not before. I have no submission blood in me. If I had I would let it out of my veins. I am willing to compromise. I am willing to receive the Crittenden amendment, and to declare that all north of 36 deg. 30 min. shall be all free, and all south shall be all slave. Then the Kansas raids and emigrant aid societies would never be heard of, and this vexed question would not enter into our politics. I am willing to get rid of the question in that way, but I am not willing to leave it to be disposed of by the next generation. But if you want compromise, you cannot obtain it, except by insisting upon it. Can we expect to obtain it, looking at the past, if we say to the North that whether you give us the guarantees or not, whether you are willing to adopt the Crittenden amendment or any amendment whatever, we are unconditional Union men in Missouri.

Tell me how many million of States of that kind in this Union would reach the Northern pulse? We are told that they are signing petitions and that they are changing. Tell me what has changed them, and what has affected the North? what has destroyed or changed them in their sentiments? It is because of the withdrawal of these seven States and the prospect of the withdrawal of others, and of the ruin of their commerce and the prosperity of the country, that is now threatening them. Missouri will make no threat; let her stand by the South; but let her call upon the North and say in language not to be misunderstood, that these guarantees must be granted or we connect ourselves with the Southern States; and when we have given you reasonable time—when we have appealed to the great heart of the whole people, if then they shall say no compromise shall be made, then we will stand with the Southern States. Gentlemen of the Convention, if the State of Missouri occupies this position, then she will have opinions that will be respected at the North and in the South. Then, when compromise has been offered by the South, Missouri can say to both North and South, you are brethren, we stand between you and ruin. And if the border States cannot restore this friendly feeling, then no earthly power can do it.

I am in favor of this amendment to the resolution. It says we will not furnish men and money. We have been told, I believe, by the gentleman from Randolph, that if the Administration called for men, we would be setting at defiance the Constitution. I have shown you that the sending of an army to the Southern States could only be done under the higher law, and not under the Constitution of the United States. I have shown you that we have the right to speak in the language of this resolution, and it is the duty of Missouri not to aid, and not to furnish men, and not to go into this conflict.

Gentlemen of the Convention, I have occupied more time than I expected. I have been longer before you than I should have been, but I have submitted candidly, and with a due regard and respect for every member of this Convention, and every individual that is here to-day, what I have asserted in regard to the position of Missouri. It is the ground upon which my people sent me here. I came to say in this Convention that Missouri desires to exert every means that is fair and honorable to unite the North and the South as brethren in one common country and destiny. I want every effort made that the State can make in honor to itself, to accomplish this result. If the fourteen States are to unite with the other slave States and go with the South, all hope of reconciliation is gone and then my wish is, at that time, when the Union will have been dissolved, that Missouri will not have to secede, but take her choice between the North and the South. I am for taking, as I said before, the Southern side of this question, if the President of the United States shall attempt force and shall attempt a war upon the Southern States, and if he calls upon Missouri for men to go into that war, I am not willing that our citizens should hazard treason, or that they shall be drafted. I am not willing that they shall be marched into any State in such a war, but in that contingency I shall be in favor of this Convention assembling and placing themselves upon their reserved rights, and say to the President, as we say in this resolution, that we will not aid you.

Mr. **Foster**. I desire to make a few remarks upon the question under consideration.

Mr. **Welch**. As it is now 12 o'clock, I move an adjournment of the Convention.

Motion sustained.

AFTERNOON SESSION

Convention re-assembled at 2 o'clock.

Mr. **Foster**. Mr. President, I hope it may not be considered an assumption on my part to leave my seat and address this Convention from a place near the Chair—being one of the lesser lights in this body, and unable, in an oratorical point of view, to cope with many of the gentlemen who have preceded me, and many who will speak after me. I come up here, sir, merely that I may be the better understood by the Convention, and because, by standing here, I can speak with greater ease to myself than if I was in my seat.

In investigating the matters which are now submitted for consideration by this body, I shall try to be fair and candid. Although I may not be able to say anything that will be edifying to the members of this Convention, yet, as a representative of a portion of the people of Missouri, I believe it to be my duty to declare the sentiments which the people of my district hold in regard to the resolutions under consideration. I have risen, sir, not for the purpose of making a buncombe speech, or a speech for political purposes. I never held a political office in my life, nor do I know that I ever shall hold one. The motives which actuate me in speaking on this occasion, are of a higher character than those underlying the delivery of political speeches or war speeches or anything of the kind. They are those of patriotism—they are love for my country and a willingness and determination to represent my constituents truly on this floor. I believe it is usual in debates of this kind that gentlemen holding different views alternate in occupying the floor. And here let me remark, that while it may be expected that I differ with the gentleman who has preceded me in many of the points advanced by him, still it is not my purpose to follow him through all his arguments. I shall take occasion to allude to some of them as I proceed with my remarks. It must certainly be regarded as a highly enviable position for me, acknowledging myself, as I do, to be one of the humblest members of this Convention, and one of its lesser lights—I say it must be regarded as an enviable position for me to be able to reply to a gentleman, so far my superior in debate, so talented and brilliant in the presentation of his views before a deliberative assembly, as the gentleman who has preceded me. I confess that I shall feel some embarrassment in attempting a reply to the all-absorbing war-speech which we have heard from him. I fear I shall not be able to meet his argument, because he is a powerful man; but while I do not expect to follow him through all the meanderings of his notions, it is yet gratifying to me to know that, elevated as I have been to come up to this stand, I shall for a few moments occupy the same stand which one of the great lights of this Convention has so ably occupied.

Gentlemen of the Convention: In regard to the powers of Government of which that gentleman has spoken, I agree with him to some extent. I agree with him in holding that we have a complete system of government, and that all the power that the General Government can exercise is derived solely from the Constitution. I am one of those individuals who may be called *strict constructionists* of the Constitution of this country. He says, further, that this Government has power to levy war upon a foreign nation, but that it has no power to levy war against a sister State.

Now, if he put this proposition by itself, it would certainly recommend itself to my mind for its justness and plausibility. But he, at the same time, argues that seven States have dissolved their connection with the Federal Government—that they have gone out of the Union; and I would ask him whether, such being the case, they can still be regarded as sister States? or whether they must be looked upon by the General Government in the light of foreign nations? If it be true that those States have gone out, and it be, furthermore, true, that the General Government has power to levy war against a foreign nation, does it not follow that, if circumstances should require, the General Government *must* treat them as any other foreign nation?

But admitting, for a moment, that those States have not gone out—admitting that they are still included in the American sisterhood, let me ask the gentleman if the Constitution does not confer ample power upon the Executive to repel insurrections and invasions by the people of one State upon the people of another State?

A VOICE. No.

MR. FOSTER. A voice behind me says *no*. Well, gentlemen of the Convention, all I have to say in regard to that is, that this voice and the Constitution of my country are at variance. I have no argument to make to any individual or assembly of individuals to convince them that the broad declaration of the Constitution of my country is such as it is. I have stated it correctly, and I will abide by it, because I was taught from my earliest infancy to believe that the Constitution of the United States and the laws enacted by Congress in accordance therewith shall be the supreme law of the land, the laws of any State to the contrary notwithstanding. I repeat it, gentlemen, that this was one of my earliest lessons I learned in connection with the powers of my Government. I do not propose to consume the time of this Convention in dwelling longer upon that point. I will now proceed to consider the situation of Missouri for a few moments. Look at yonder flag, if you please, and behold Missouri, as shining forth in the constellation of States as one of the central stars in the West, and ask yourselves the question, what is the proper position for Missouri to occupy under existing circumstances? Now, gentlemen, I hold it to be a truth that, as was remarked by my friend from Marion, on the day before yesterday, Missouri could turn out more fighting men than any other slave State in the Union; and I will add that, if circumstances require it, she would do so. I will add, further, that I believe that Missouri to-day can turn out more Union, Constitution-loving men, than any two Southern States in this Confederacy. Then, gentlemen, the question arises, as I have suggested, as to what is the proper position for Missouri to occupy. I think the proper answer to this question is of the most vital importance. What is the answer given by the Committee on Federal Relations? What does that report contain? In considering the resolutions offered by the Committee, I desire to give a fair and candid expression of my sentiments, and the sentiments of the people whom I am representing on this floor. I do not intend, by any remark that I may make, to reproach any gentlemen who is a member of this Convention, and who, for causes satisfactory to himself, disagrees with me in regard to this report. I do not design to heap epithets upon the people of the North, nor to heap epithets upon the people of the South; but in speaking of the wrongs and pointing out the errors of both sections, I shall proceed with candor and moderation, extending my hand to both, and hailing them as the common family of this Government.

The first resolution offered by the Committee, (I refer, of couse, to the majority report,) is as follows:

Resolved, That at present there is no adequate cause to impel Missouri to dissolve her connection with the Federal Union, but, on the contrary, she will labor for such an adjustment of existing troubles as will secure the peace as well as the rights and equality of all the States.

I ask, gentlemen of this Convention, do you object to that resolution? I ask gentlemen who came here for the purpose of using all honorable means to preserve the Union, if they can have any objection to it? I believe that I can say that an overwhelming majority of the members of this Convention will be found in its favor. And I may also say, although my knowledge of the people of the State is limited, yet, judging from the sentiments of 9,000 to 10,000 legal voters whom I have the honor to represent, they will give their hearty approbation to it. I took the position before my people, in making the little canvass that I did make, that there was no existing cause at that time, or any cause which I could see as likely to arise, sufficient to justify this State in dissolving her connection with the General Government. I here to-day repeat it, in order to redeem my pledges to the people before whom I canvassed. I maintain that there is no cause existing to-day that would impel me, as a citizen of Missouri—as a citizen of the United States—to dissolve my connection with my Government. I would, in my judgment, prove recreant to the people that honored me with a seat in this Convention, were I to occupy any other position. I believe I should prove recreant to the mother who gave me birth, were I to occupy any other position. Sir, I assert it again, there was no existing cause for Missouri going out of the Union at the time I made my canvass; and the only event that has taken place since, that could have any weight in determining the action of Missouri, is the Inaugural of the President. I told my people that, with all the facts and circumstances then existing, and with the additional fact of Mr. Lincoln's inauguration on the 4th of March, there was not sufficient cause to dissolve our connection with the General Government. Mr. Lincoln has since been inaugurated. His Inaugural Address has been delivered and received all over the country, and I still find that there is no cause for Missouri to secede. In my humble judgment, that Inaugural, instead of being a *war* message, is a *peace* message; and, in so believing, I am willing to be responsible to my constituents.

But we are told that the people of the North have brought about the "irrepressible conflict," and that it is of a nature too intolerable for the people of the Southern States to endure. Gentlemen, I take this occasion to say—and my people know that what I am saying is correct—that I entirely disagree with Mr. Lincoln or his party in regard to the subject of slavery. I do not indorse any of their sentiments on this subject. Most emphatically it was not by my consent—it was not by my approbation, that Mr. Lincoln was made President of the United States. On the contrary, I have done everything that an honorable man with my feeble power could do to defeat him. But, gentlemen, I see no cause why this Convention should not adopt the first resolution. Much as the South has been wronged by the Republican party, and great as has been the evil which the ascendancy of that party has brought upon our country, still I see no reason why we should reject that resolution. The gentleman from Andrew, if I understand him right, says that it is a great and tremendous evil for a minister in the North to preach the "irrepressible conflict" from his pulpit. Undoubtedly it is. But I tell him it is acting in bad faith towards the people of this Goverment, and equally as wrong for a *Southern* minister to take up the doctrine of disunion and preach it from his pulpit. If it is wrong for one section of the country to disregard the laws and bid defiance to the Constitution, so it is for another.

So much for the first resolution. I now proceed to the second resolution, which reads as follows:

Resolved, That the people of this State are devotedly attached to the institutions of our country, and earnestly desire that, by a fair and amicable adjustment, all the causes of disagreement that at present unfortunately distract us as a people, may be removed, to the end that our Union may be preserved and perpetuated, and peace and harmony be restored between the North and the South.

Now, gentlemen, allow me to ask you this question. Is not it the desire of every member on this floor that all the difficulties which are now distracting our country should be settled? Is not that the desire of the delegates to this Convention? Undoubtedly it is. I have no hesitancy in saying that if any gentleman had taken a position different from, or antagonistic to this—if any gentleman had avowed that he was not for compromise, that he was not for an amicable adjustment of existing difficulties, he could not have been elected to a seat in this body. I hold that position, and I shall *never* hold one that is in conflict with it. I deem it to be in accordance with the wishes of the people of Missouri. I know that Missouri holds this position, and I am not afraid that the voice of the people will ever say to me, Foster, you are mistaken—you know nothing about the people of Missouri.

Gentlemen, I came here as a compromise man. I came here pledged before my people that I would do all in my power to restore peace to our now distracted but once happy country, and I am impelled by my sense of duty to act accordingly. I will so act, first, because it is congenial to my sentiments, and, secondly, because it is the position which I took before my constituents.

And I may be permitted to remark, that however I may be wanting in ability to meet their expectations on this floor, yet there is one thing in which I never will be found wanting, and that is, *integrity* to carry out the position which I took before them.

I repeat it, Mr. President, is it possible that there is a member in this body who is not willing to use all the power at his command for the purpose of restoring peace to the country? I apprehend there is no one. I apprehend that it is the desire of every member that peace should be restored. I believe there is no member of this Convention but who is disposed to maintain the Union of these States and to maintain his Constitutional rights as a citizen in the great family of States. If this is not the desire of this Convention, I confess that I have been unable to discover what its complexion is. And if, contrary to my expectation, this should not prove to be its complexion, yet I feel sure that it is the complexion of the people whom I represent in part to-day. Keeping a central position in the West as we do, it becomes our duty, if there are causes of complaint, to examine them and speak of them in a mild and conciliatory manner. Such is the nature of the American citizen, that you cannot even *drive* him to do that which he wants to do, much less drive him to do that which he does not want to do. It will not do for us, therefore, to discriminate against one section or another—it will not do for us to heap epithets, either upon the people of the North or upon the people of the South; but we must proceed in the calm, deliberative and conciliatory manner, speaking to the men of the North and the men of the South as our brothers. We should indeed be compromise men. Sir, I desire that every act of mine, that every word of mine, and every declaration of mine, shall be that while we can extend our left hand to the people of the North, we can extend our right hand to the people of the South, talking to them as one common family—talking to them as I would to brothers of the flesh, who I believed had done me wrong, but whom I would entreat to come back and do me right. Such I desire to be *my* action, and such I desire to be the action of this Convention.

Mr. President, I will now proceed to read the *third* resolution:

Resolved, That the people of this State deem the amendments to the Constitution of the United States, proposed by the Hon. John J. Crittenden, of Kentucky, with the extension of the same to the territory hereafter to be acquired by treaty or otherwise, a basis of adjustment which will successfully remove the causes of difference forever from the arena of national politics.

Regarding this resolution, I would ask you, gentlemen of the Convention, whether it is not the desire of the people you represent to take this slavery question out of the hands of politicians and political demagogues. So far as I am concerned, I frankly confess that, if I could, by any means honorable to an American citizen, take that question out of the power of legislation; if I could take it out of the power of politicians and political demagogues, I would conceive it to be the proudest act of my life. If I have one desire above another, in connection with the political questions of the day, it is that we could make a fair adjustment of this slavery question, and take it out of the arena of politics. Sir, it is this question which has distracted and divided my country, and set one section in hostile array against another. It is through it that men have been lifted into power who were unworthy of the people that placed them there. There will always be a difference of opinion in regard to it. The people of the North, who were reared under Northern institutions, are taught to believe that slavery is a curse—that it is an evil—and hence they are from their youth up prejudiced against it. On the other hand, the people of the South, who were raised under Southern institutions, look upon it as right and proper, and are apt to be prejudiced in its favor. Hence, looking at slavery in an abstract point of view, it cannot seem strange that there should be difference of opinion about it. Agitation, then, becomes dangerous, and is calculated to array the adherents of one opinion against the adherents of another. We have all seen the devastating effects of the slavery agitation. We are even now suffering from it, and behold the humiliating spectacle of a once happy country, distracted and drive to the verge of ruin on account of it. Then, what are we to do? Is it not urgent that we should adopt some plan by which to take it out of the power of legislation? Do we not all see that, so long as it remains an open question, the people of the North contending that Congress possesses the power under the Constitution to prohibit the introduction of slavery into the Territories, and the people of the South contending that the Territories are common property, will be arrayed against each other, and there will be unceasing strife and contention? It is therefore well that this resolution may compromise by amendments to the Constitution, the effect of which will be to quiet all agitation on the subject of slavery forever. I have taken a position before the people in my district, that I would accept as the basis of compromise what is known as the Crittenden amendment, or one of similar import; and I state before you to-day, in clear and unmistakable language, that I am willing to take any compromise that will restore peace and harmony between the

North and the South. In saying so, I am but uttering the sentiments of the people who sent me here.

I proceed to the next resolution:

Resolved, That the people of Missouri believe the peace and quiet of the country will be promoted by a Convention to propose amendments to the Constitution of the United States, and this *Convention* therefore urges the Legislature of this State to take the proper steps for calling such a Convention in pursuance of the fifth article of the Constitution, and for providing by law for an election of one delegate to such Convention from each electoral district in this State.

I am aware, Mr. President, that in regard to the Convention recommended to be held by this body, there is a difference of opinion—some believing that it will be preferable to hold a Convention of all the States, and others thinking it best to hold a Convention of the Border States merely. I will say that, so far as I am concerned, I am in favor of a Convention of *all* the States. My reason for taking this position is, that such a Convention will be in perfect harmony and keeping with the Constitution of the United States. I may also state that this is the position which I have taken before my constituents. As they have elected me on that position, I consider myself bound to maintain it on this floor. I consider that I have been instructed to that effect. The assembling of a National Convention, according to my understanding, is the constitutional mode of introducing amendments to the Constitution. Being a Constitution-loving man, and a law-abiding citizen, I desire no act of mine to come in conflict with that sacred instrument.

I will now read the *fifth* resolution:

“5. *Resolved,* That, in the opinion of this Convention, the employment of military force by the Federal Government to coerce the submission of the seceding States, or the employment of military force by the seceding States to assail the Government of the United States, will inevitably plunge this country into civil war, and thereby entirely extinguish all hope of an amicable settlement of the fearful issues now pending before the country. We therefore earnestly entreat as well the Federal Government as the seceding States to withhold and stay the arm of military power, and on no pretense whatever bring upon the nation the horrors of civil war.

Much has been said in this Convention about this resolution. I apprehend, Mr. President, that there is no gentleman upon this floor that is pledged in stronger terms against the doctrine of coercion than myself. No proposition that could be introduced here could receive my support if it looked or even *squinted* toward coercion. It is evident to every reflecting mind that we have to take things as they exist, and not as we desire them to be; and at this particular juncture, sympathizing as I do with all quarters of the country, and particularly with the people of the South, I may say that American blood becomes to me a paramount question, and I will do all in my power to prevent it from being shed. I could not, therefore, nor would I ever, support any proposition that even squinted toward coercion. The only question arising in reference to the fifth resolution, is, whether its language is emphatic enough to adequately express our sentiment, and I will say that, in my opinion, it is. I am willing to adopt that resolution just as it is. Whether my people will indorse my course in this respect or not, is a matter about which I am but little concerned. I intend to discharge my duty towards them, and I leave them to be the judges whether I shall do so or not. I think it essential that, as a body, we should speak in a mild and conciliatory manner, both to the people of the North and of the South and to the General Government. Gentlemen, I cannot for a moment entertain the notion to raise my arm against my Government. No! I would rather that this arm of mine should perish—yea, that this stammering tongue of mine should cleave to the roof of my mouth, than that I should raise my arm against my Government. I will never do it.

That brings me to consider the amendmen which was offered to this resolution by my frien from Clay. My kindly feelings toward that gentleman, and my regard for his upright endeavor would induce me to support almost any proposition that he could conscientiously introduce an support. Acknowledging as I do that, in m judgment, he is a better Union man than I am—not that he is more devoted to the Unio or that he has any stronger attachme for it, for I do not believe that the ma lives who can have a stronger attachment for hi government than I have; but that he has th ability to impress his views upon the people an convince them that he is right, better than I ca As I am just looking that way I happen to se with great pleasure, that one of my constituen is just now sitting by one of my colleagues, wh for reasons I suppose satisfactory to himself, too great pleasure in trying to defeat me. [Laughter Allow me to say that I ran under the charge Black Republicanism—under the charge of bei a submissionist. Well, now I don't care, gentl men, anything about these charges. As you pe ceive, I am one of those remarkably good-hum ed men who can afford to be misrepresented, a I don't care, so far as I am personally politically concerned, what charges my advers ries have been disseminating against me. B sir, I ask this Convention not to adopt t amendment, for the reasen that I believe tha it is adopted it will force this Convention to o of two conclusions. What are they? First, th the amendment is one of the inroads of secessionism. The other is, that it forces Missouri, under any and all contingent circumstances, to fold up her arms in perfect submission to anything and everything. Why, sir, it reminds me of the good old Methodist lady who would go around advocating the doctrine that if you are smitten on one cheek you must turn the other in perfect submission and be smitten on that also. This amendment pledges the people of Missouri, now and for all time to come, that under no circumstances will we raise our arm against a seceding State or against our present Government.

Why, gentlemen, my opponents used to tell me the reason why they wanted a seat in this Convention was to place Missouri right upon the record. *I* desire to place Missouri right upon the record, and I desire that the hands of Missouri and the hands of her citizens shall not be tied up in any such manner as this. I believe, sir, that the people of Missouri are capable of meeting any and all emergencies; but while we are disposed not even to countenance secession, disunion or coercion, yet, sir, I hold it to be my duty, and the duty of this Convention, not to tie the hands of Missouri. You know not what emergency may arise. You know not what may take place in a year or a month. I therefore ask you not to tie the hands of Missouri in all time to come. I sincerely hope that this Convention will not place the people of Missouri in the condition in which the Legislature of the State desired to place *this* Convention, namely: putting them in a church not made with hands, that will endure forever.—I desire the people of Missouri to be placed in no such condition, and I understand *some of the* gentlemen in the Legislature were not very particular whether they placed us in a church remaining forever, or whether they placed us in the penitentiary at the capital of Missouri.—[Laughter.] In the language of the gentlemen who differ with me on this floor, I say to you, "sufficient for the day is the evil thereof." Allow me to remark, that I am forced to the conclusion that if I was to indorse that amendment, it would be proper to brand me with being a cheerful submissionist, which charge I did not only deny upon the stump, but I now deny it as being a gross insult to a gentleman of an angry temper; but as I am happily one of those very *mild* men, Mr. President, I consider it no insult.

Let me now say a few words to this Border State proposition. I came here, or rather to Jefferson City, having had an oath resting upon me *for years to support the Constitution of the United States.* That oath had been upon me for years, by and with my own consent, and to me it mattered not whether it should be renewed or not; for as long as that oath rests upon me, I expect to maintain it and act in accordance with it. I care nothing about that renewal. But, sir, as men supporting the Constitution of the United States, sworn as we are to support it, let me ask you if the inroad that is attempted here to be made by this amendment is not the very first step towards getting outside of the Constitution—outside of the authority of law? Do those gentlemen, after holding a Border State Convention, propose in any legal manner to have it ratified? No, not at all. What, then, do they propose? Why, they say they will present an ultimatum to the people of the North. What next? I will ask some of these gentlemen. There you find a little squirming.

The CHAIR. The gentleman is not permitted to argue the minority report.

Mr. FOSTER. I hope the President will excuse me. Not being used to deliberative assemblies, and not being versed in parliamentary rules, I am liable to transgress. I will readily suffer a correction by your Honor.

Gentlemen, I will not say anything about that minority report; but I will give you the word of warning as Union men, determined as I believe you are to support the Constitution of the United States, and to discharge your duties toward the people of Missouri, not to allow any inroad to be made either upon the Constitution of your country or the laws enacted in accordance therewith. I guard you against it, because it is one of the inroads of secession. Its main object is to get you outside of the Constitution, and then they have got what they call the "inside track" of you.

In regard to this doctrine of coercion I want to say, as I said before my people, that the people of the North—and when I speak of the people of *the North I mean the majority*—have done us injustice and wrong. They have, by their legislative enactments, passed what is known in many Northern States as the personal liberty bills. They have in this regard acted in bad faith toward the Government. They have acted in bad faith toward the people of the South; and in the language of those resolutions, I ask them as American citizens, as my Northern brethren, not to persist in such a course. I ask them to repeal those obnoxious laws, although I do not regard them worth the blank paper upon which they were written. I understand upon this question the Constitution of the United States and the laws enacted by Congress, are the supreme law of the land, any laws passed by the State to the contrary notwithstanding. But I ask those States to retract them, and do us right. I beseech them—although gentlemen do not like to see a man say that he comes in the attitude of "submission;" yet if it would do any good, and restore peace to my country, I could *fall* down on my knees to the people of the North and ask them to repeal those laws. I would in the same spirit fall on my knees to the people of the South, and ask them to abstain from their rash acts, so that this country might again be united, and peace be established on a permanent basis.

While I say to the people of the North that they have done us injustice, I say to our erring sisters of the South, that they, too, have done us wrong. I think their acts have been precipitate—not warranted by law, not warranted by reserved rights; that they have, as American citizens, undertaken to seek redress for the grievances of which they complain in a manner not at all warranted. They have not sought redress by taking a legal position, nor by throwing themselves back upon their inherent right of revolution. They have not done so. Sir, I am one of those men that believe, that, as sure as the sun rises in the east and sets in the west, whenever the Government fails to accomplish the ends for which it was created, the right of revolution is clear. And I tell you, sir, to-day, that, should that day ever arise, I will be among the first who will act upon that right. But, sir, I can see nothing in the state of things now existing—I can see nothing that is likely to occur—which will induce me to believe that it will become necessary for the people of Missouri to resort to the right of revolution.

I told my people when making the canvass, that should circumstances arise that would justify revolution, I should be heartily in favor of it. I have been asked, how long before such a state of things will come to pass. I have told them, I answer not by weeks, not by months, not by years, but by circumstances; and that when we should arrive at a given state of things in which I believed that the right of revolution was the only means of redress, I should so declare it. Therefore, gentlemen, I ask you not to tie the hands of Missouri. We know not, nor can we tell what we may have to encounter in that future.

Sir, I desire to say that if there is any one desire which I have before any other in regard to the demon of Northern Abolitionism and fanaticism, or this fell demon of the South, Secession, it is this: that if I could bring them within my grasp, I would bury them both in the bowels of the earth, or beneath the waters of the sea, so that no American citizen should hear of them again. I believe that peace could then be surely restored in my country. Gentlemen may consider these expressions are rather harsh, but, sir, as an American citizen—as a man desirous to preserve this government, I would like to get rid of all these wicked spirits that infest my country.

Then, gentlemen, in conclusion, permit me to remark, that my only desire is to assist in maintaining our rights and preserving this Union. If I can be any way instrumental in preserving the Union of these States upon terms of equality, and restoring peace to this Government, it will bestow upon me all the glory I want. I ask no more—I ask no higher laurels—I ask no higher calling by any people, or position in the gift of any people, than to be instrumental in restoring peace to our now distracted and once happy country. If I could see quiet reign once more, I would say all is well; and I ask Missouri to take a position as mediator, situated as she is in the central position of the West, to stretch out her arms to the people of the North and the South, and bid them stand still and let the Union be saved.

I hope this Convention will adopt the majority report just as it has come from the committee. And I will take this occasion to say, lest a wrong impression should go out, that I have perused the report very calmly and carefully, and though there are some things which I should desire to be a little different, yet as I came here as a compromise man, not intent on enforcing strictly my own opinions, but in common to deliberate with the members of this Convention, I believe that it is right in the main, and that it ought to be adopted. I am determined to support that report at all hazards. Allow me to remark, sir, that if I had been called upon to produce such a document, I have some doubt as to whether it would have met my approval as well as does this report. Taking it as a whole, and not stopping at particulars, I do not believe the document could have been excelled.

I know it would have been somewhat different had I been called upon to draw it up. I would rather see some things in it different, and I will tell you why. I was born of Southern parents and raised under Southern institutions. I am imbued with Southern prejudice. My prejudices and my sympathies are altogether with the South. I would then most likely have given that report a more Southern coloring. Yet I never intend that my prejudices should lead me astray. I want to discharge my duty towards my country, and then I am satisfied.

Gentlemen, I shall bring my remarks to a close. I say to you, in conclusion, that I intend to stand by the Union of these States as long as there is any hope to be cherished for the preservation of Missouri in the Union—and when that dark cloud shall appear which will enshroud in everlasting gloom the glorious prospects of my country, then, and not until then, will I turn for another republic. Yes, gentlemen, I say that all hope must be extinguished before I will abandon my country—before I will be in favor of forming a new confederation. My object, my aim, my desire will be to reclaim our erring sisters of the South and bring them back into the family of States, to stand upon the same Constitution with us—to share our rights and enjoy the same privileges with us as they have done heretofore. I tell you, you may call me a submissionist if you please, I care nothing about it; but I never will submit to a wrong. I stand upon constitutional ground. I expect to maintain it, and I expect to take nothing, either in compromise or otherwise, when I am forced to seek my right at the point of the bayonet. Not that I would have you believe, gentlemen of the Convention, that I am a brave man, now, [laughter]—I don't want you to get any such idea into your heads; but it is a principle that I consider correct. I know, Mr. President, that you are a loyal citizen, and that if the flag of our country is assailed, even though your hair be whitened with age, and the elasticity of youthful feeling gone, yet I believe in my soul you would be willing to gird on your sabre to-day and march in defense of your country. So I believe that *you* would, gentlemen of the Convention. As for my humble self, I have every reason to believe that my grandfather served in the Revolutionary war six years and six months. I have every reason to believe that my own father served in the war of 1812, twelve months; and there is one thing *I* did—that is, that I had the honor of commanding a company in the Mexican war in defense of that flag; and if there is any one desire which I have above any other desire, it is this, that I may have the good fortune to raise one child who, when the flag of my country is assailed, may gird on the sabre or shoulder his musket, and march in defense of the flag of his country, there to inscribe upon that banner the loyalty of the Foster family to this Government.

Mr. Givens. Mr. President, I am in favor of the amendment of the gentlemen from Clay, but for reasons different from many gentlemen in this Convention. Coercion is wrong in itself, in my view, because I think the seceding States had a right to separate themselves from this Union. Coercion is wrong, also, because it would destroy all hope of proper adjustment. But as to the right of a State of this Union to dissolve its political connection with the Federal Government, the Convention of 1787, which formed the present Constitution, expressly denied to the General Government the power of coercion by military force, of any of the States under any circumstances, whatever. Gentlemen concede this; still they say there is no express power in the Constitution, of secession. I have only to say that if there was no power of a State to separate from the Union, why ask that the Constitution should contain a provision for coercion? The very statement of the question implies the right of separation. Gentlemen concede the great inherent right of every State, of every independent political organization, to judge for itself as to its own political destiny: the inalienable right of self-government, which existed before the formation of human constitutions, and of human laws, the great principle which underlies all republican institutions. If the seceding States have but exercised that right, which never was yielded in the formation of the Constitution, can it be said that they have acted in violation of that instrument. But, Mr. President, in my judgment it matters but little whether the States have withdrawn from this Union under a constitutional or revolutionary right: we have to deal with the great fact that seven States have actually withdrawn from the Union, and have formed an independent republic, and are now performing all the ordinary functions pertaining to independent governments. Does it matter, so far as adjustment is concerned, whether the separation took place under the one right, or the other. No man more deeply deplores this state of things than I do; no one desires a reunion upon principles just and proper, more than I do; but Mr. President we have been told that the causes which impelled the separation of these States, are more imaginary than real. Is that true, sir. I imagine that the cause of separation is deeper than many gentlemen suppose. It may not as yet have resulted in any great injury to the seceding States. What great injury had our fathers sustained in the imposition of a few *pence* duty upon tea imported into the colonies? It was not the mere loss then suffered which impelled the colonies to take the step they did. Ah, no sir, it was a motive much higher, it was a resistance to a right asserted by the British throne, that Parliament had the right to tax the colonies, when they had no representation in that Parliament; but it is said, sir, that the causes which have separated the seceding States, are imaginary. I will not undertake to enumerate the causes; they are set forth in the minority report of the Committee on Federal Relations, with a force and truth to my mind conclusive. The seceding States have acted upon the high principle of resistance to violations of the Constitution by the North, without regard to the actual injury which may have resulted from such violations, but I do not believe, sir, that the injuries are merely imaginary. The fugitive slave law, enacted in pursuance of provisions of the Constitution, has been deliberately set at naught by the people of the North; it is to-day worse than no law; it but lures him into the non-slaveholding States in pursuit of his property, which in ninety-nine cases out of a hundred, is utterly fruitless—but that is not all, he is cast in prison, under the provisions of their personal liberty laws: but all this is merely imaginary, in the estimation of many gentleman on this floor. But Mr. President, I am no advocate of war. Ah, no sir, far from it. It is a fearful thing to break up a Government like this. I shudder when I look at the dark picture of blood, presented in internecine strife. In view of such a picture, and to arrest its horrors, shall we surrender right, submit to degradation and dishonor? No sir, no. I am asked if I am not favorable to compromise? I answer emphatically, yea, but upon terms just to the South—upon the basis of the Crittenden propositions—of amendments to the Constitution of the United States. Sir, I would not demand such amendments in the language of entreaty, but in the name of justice—in the name of equality to all the States of this Union. I cannot agree with my friend from Adair, (for whom I have the highest regard,) that we should entreat and pray the men of the North to repeal their personal liberty bills. I would demand their repeal in the name of the Constitution of my country. But, sir, what is to be the effect of rejecting the amendment of the gentleman from Clay. The impression will go abroad that Missouri is ready to aid the General Government in coercing the seceding States back into this Union, whether such an attempt shall be by an open war or under the paltry and miserable pretence of executing the laws. If gentlemen are opposed to coercion, why not say so in emphatic terms? How many members on this floor were originally from some of the seceding States? How many from Virginia and Kentucky, and other slave States, which, in all probability, will go with the seceding States? We present them the sad spectacle—when called upon by the General Government to aid in coercing the seceding States—of presenting the dagger to the bosom of our own brothers of the South, a picture which I pray may be forever veiled from my sight. These are the reasons, sir, why I am in favor of this amendment. All history teaches us the dangers of the military overrunning and ultimately destroying the civil power. I am unwilling to place in the power of the President of the United States a military force to coerce the seceding States, for the reason that it is wrong in itself, and for the reason that it blots out all hope of proper adjustment. Sir, I am done.

Mr. **Broadhead**. I feel it due to myself as well as to the constituency which I represent and the country at large, for whose interest we are here assembled to-day, to say something upon the questions which are now before this body; and, in doing so, I propose to speak as nearly as practicable to the merits of the question before us. I take occasion to say that I should not have opened my mouth upon this amendment which is now before this body for its consideration, but for some strange doctrines that I have heard advanced in regard to the subject of our General Government and our common Constitution. When we organized this body, we swore to support that Constitution—we are acting as yet under the sanction of that instrument. Missouri is yet in the Union. Her citizens are yet bound by the obligations of that instrument, and we propose to do nothing (at least I am one who expects to act with those who propose to do nothing) which may change the relations now existing between the State of Missouri and the Federal Government.

It has well been said by the Chairman of the Committee on Federal Relations, that the spirit of insubordination to established law is now prevailing throughout our country to an extent unknown in any other portion of the civilized globe. I trust, gentlemen, and I believe, that this is not because of any failure in the system of self-government which our ancestors adopted. I believe, on the contrary, that it grows out of the fact that the people, the source of power in this republican Government of ours, have abdicated their authority—that they have given up into the hands of designing men the power which they themselves should hold for the benefit of themselves and their posterity. That report, then, is before this body for the purpose of discountenancing any such doctrine, so far as our action is concerned, and the principles of that report go upon the idea that in attempting to redress any wrongs which either our fellow citizens of Missouri or our fellow citizens of any of the other States may deem they have suffered at the hands of the Federal Government, or at the hands of their sister States in this broad Confederacy, they can be better remedied *within* the Union and under the Constitution than *out* of the Union.

Now, the amendment which is offered here is to the effect that we will pledge ourselves not to furnish men and money for the purpose of aiding the General Government in an attempt to coerce a seceding State. The language employed in this amendment is perhaps unfortunate, but we understand—all of us understand, and no one of us now can fail to understand—the view in which this question is presented to this Convention, and the meaning of the term "coerce" as used in this amendment.

Gentlemen have argued as if those who oppose it will advocate the doctrine that the General Government has the power to make war upon a State of this Confederacy. But that is not the issue presented by this resolution, and it is not the question for us to determine. Gentlemen have gone back to the debates of the Convention which framed this Constitution, for the purpose of showing that when a proposition was introduced in that body authorizing the Federal Government to make war upon one of the States, and causing a provision to be inserted to that effect, it was voted down and argued against by Mr. Madison, who is said to be the father of the Constitution. This is true. But why? For the simple reason that this Constitution, this fundamental law of the people of these United States, was not intended to operate upon States, but upon individuals. The framers of that Constitution had seen the defects of the old Articles of Confederation which were formed in 1777 and in 1778, and they took steps to provide for a more perfect Union. Under the provisions of the old Articles of Confederation a State could not be coerced—individual citizens of the State could not be forced to pay taxes to the General Government. It *was a league of sovereign, independent States* and not a Government, and it was so declared in the preamble to the Articles of Confederation. Hence, whenever it became necessary for the Federal Government to raise a revenue to carry on war, or for any other purpose, it was necessary that the States should vote a levy by their Legislatures upon their citizens. The Federal Government had no power to enforce it, or to collect a dollar of revenue from the citizens of the States, but afterwards, when the Convention met for the purpose of framing the Constitution of the United States, they declared in the preamble of that instrument that, "we, the people of the United States, in order to form a more perfect Union, establish justice, provide for the common defence, promote the general welfare and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Government." They did not "form this league" but ordain and establish this "Government." It is the people of the United State who ordain and establish a Government, and the question very naturally arose in discussion about the powers of Government in that Convention, as to whether the Government could act upon States or not. If they could so act, then they had nothing more than the old Articles of Confederation. But they changed those Articles, and determined that instead of being a league among *States* it should be a Government over *individuals*. Hence the Convention gave the Government power—to do what? To levy and collect taxes, imports and excises, and exercise various other rights with which you are acquainted. It also gave the Government power to pass laws for the purpose of carrying those rights into effect. How carry them into effect? How does the Government effect the collection of revenue? Not upon States, but upon individuals. How does it carry into effect the Post Office system? Not upon States, but upon individuals. How does it enforce the laws of navigation all over this country? Not by acting upon States, but upon individuals. Hence the *framers* of the Constitution in that Convention would have stultified themselves if they had admitted that it was a power of the Government to make war upon States. They took away from the States the power to declare war, to levy duties upon imports and excises, and to exercise other rights of a similar character. These powers were reserved to the Government of the United States, and the Federal Government was thereby brought into direct relation to the individual citizens of all the States.

If the gentlemen will look a little further—I have not recently read the debates in that Convention—into those debates which were had among the wise men who framed that instrument, they will find that this is the reason why the power is not given to make war upon the States. They will find that the leading idea of that Convention was, that the Federal Government operates upon individuals rather than on States; and how far does it operate on individuals? Let us look at it as a constitutional question. It has been denied here that the Federal Government has power to coerce a seceding State. I deny that power also; but when gentlemen deny the power incorporated in that resolution, they go farther than the resolutions seem to import. The gentleman from Marion argued that if the General Government undertook to collect the revenue, that war would come. This, I understand, is one of his arguments upon the resolution. If I interpret his position properly, it seems to me to be this: if the Federal Government does anything by which she undertakes to assert her authority, to execute the laws of the United States, and war ensues, then that is coercing a seceding State. If anything is done by a citizen, in resistance to the laws of the Federal Government, and the Federal Government undertakes to exercise its authority in executing its laws, then that is coercing a seceding State. The idea of bringing a State back into the union—of compelling Louisiana, for example, or Georgia, or Alabama, or Texas, or any of those political States, as corporations, to come back into the United States, to send Senators and Representatives to Congress, is not entertained by any man. We do not pretend that the General Government should do any such thing. So far as Senators and Representatives in the Lower House are concerned, the Constitution provides that each State shall be entitled to her proportionate number, and if she does not send them it is her own fault. It will only have the effect of making her lose so much power. But I wish to meet this question—and we had as well meet this question here as elsewhere—I mean the question as to how far the Federal Government may call upon the militia of the States within the Union, to put down insubordination in the seceding States. I say I want to define my position in regard to this question. I understand the gentleman to take the position that the Government of the United States has no such authority. One gentleman says that the President of the United States is limited to the execution of the laws of the United States now existing. I admit that, and will take it for granted that the President can execute no laws but those now upon the statute books in regard to the collection of revenue. Let us look for awhile to see what that question is. The Constitution provides that Congress shall have power to provide for calling forth the militia to execute the laws of the United States, to suppress insurrection and to repel invasions. These are three distinct powers given to Congress, under the Constitution, in regard to this matter. The first is to execute the laws of the United States, the second suppress insurrection, the third to repel invasions. They are separate and distinct powers. The militia may be called forth for either one of these purposes. I will admit this view that, until there is a law of the United States passed by Congress authorizing the President to call forth the militia for those purposes, his hands are tied, and he is compelled to merely use forces which belong to the standing army and navy of the United States.

There has been a cotemporaneous construction of these provisions of the Constitution. In 1792, during General Washington's administration, the Congress of the United States, for the purpose of carrying out the power vested in them by those provisions, passed a law the first section of which provides for the case of an insurrection against State Governments, and for calling forth the militia of adjoining States. This law was made applicable to the cases where the Executive or the Legislature, (if it happened to be in session,) of a State in which an insurrection had taken place, should call upon the President of the United States, and the latter was then authorized to call upon the militia of that or an adjoining State, to suppress that insurrection. The second section provides that, whenever the laws of the United States shall be opposed by combinations too powerful to be suppressed by ordinary course of judicial proceedings, &c., the same being notified to the President by an Associate Justice or District Judge, he shall have power to call forth the militia. That was the act of 1792, but the act of 1795, which was passed, if I recollect the history of the country aright, soon after the whiskey insurrection in Pennsylvania, went further than this. The second section of that act declares that the President shall be authorized, in case of combinations against the Government too powerful to be suppressed by ordinary course of judicial proceedings, to call forth the militia of such State, or of any other State or States, as may be necessary to suppress such combinations. The only qualifications on this power is, that he is required first to issue his proclamation commanding them to disperse. By this act, you perceive that the power was recognized during the administration of Gen. Washington, to call upon the militia of the States, and it was recognized in a Congress consisting of many men who had been instrumental in framing the Constitution, and who had participated in the struggles of the American revolution. The history of the country had shown that such legislation was necessary. It had been but one year before, during General Washington's administration, that the people of Pennsylvania rose in open rebellion against the Government of the United States for the purpose of resisting the collection of excises upon the distilled spirits. Gen. Washington then found it necessary on that occasion to call 15,000 troops, including the militia from adjoining States, and the standing army of the United States, to suppress that insurrection. The scenes which were then enacted called for the passage of this very law, for Washington, if I recollect aright, was not called upon by the executive of the State of Pennsylvania to lend the aid of the General Government.

You will see at once, gentlemen, the reason why there should be three *distinct* powers granted to Congress. Why is it? What is the difference between an insurrection and a violation of the law? An insurrection includes both rebellion against the Government and violation of the law which has been passed by that Government. Take the case above referred to. There, it is true that every man engaged in that insurrection—the object of which was to resist the law of the Federal Government in collecting the revenue—was guilty of violating that law. But would it do to wait until you could try each individual participator? When they had collected in large bodies and were offering powerful resistance? Would it do to wait until each man could be taken up and convicted under the laws of Congress? How is it in regard to mobs when they arise in large cities? Do the civil authorities abstain from action until each man engaged in that mob can be tried before a Justice of the Peace and afterwards committed and inindicted before a Criminal Court and convicted? Sir, the very preservation of society, preservation of Government itself, if it is worth anything, demands that it should have power to protect itself against the insubordination of its citizens of that character. Suppose, for example, that, as has been threatened, an army of ten thousand men should at this day be marching upon the capitol at Washington, which is still the seat of our Government, although that Government and its present head are considered odious by many members in this Convention—I say suppose this should take place, and the army should declare their object to be to destroy the public archives, seize upon the public Treasury, desolate and lay waste the capital of your country—you know that every man engaged in that conspiracy is a traitor, and deserves a traitor's doom; and you know, if he could be fairly tried, he would receive the fate of a traitor, and be hung. But is the Government to wait until those men could be punished by the ordinary civil process? Has the Government no authority to call forth the militia and army of the United States for the driving back of that invading host, and protecting its own existence, protecting the interests which are dear to you, and dear to all the people yet remaining in this confederacy? If the Government has no such power as that, I would not give a fig for such a Government. But suppose it calls upon the militia of a State, would you call that coercion? Suppose South Carolina, for example, should send an army, led by Gen. Beauregard, who now has command of her forces, to Washington City—this might have occurred two months ago, three weeks ago. Suppose, further, that Virginia had passed a resolution that she would neither furnish men nor money for the purpose of coercing a seceding State, in other words, for the purpose of raising an army to resist an invasion of this sort; then she would occupy precisely the position that we would occupy if we adopted this resolution with the amendment which is tried to be put upon it. Now, would that be an attempt to coerce a seceding State? No one pretends, and gentlemen who argue in favor of the amendment do not pretend that Mr. Lincoln or anybody else proposes to march an army into the State of South Carolina, or Georgia, for the purpose of making war upon the citizens of those States. But are we to have our hands tied for all time to come, and not prepared for any emergency that may arise, when our duty to our country, our duty to ourselves, and, it may be, our duty to our fellow-citizens of the South, who are now borne down by a military despotism, such as has never existed in this country before, may demand that action? When they shall call upon us for succor, are we to have our hands tied down, so as to be estopped from aiding the Federal Government in protecting them?

Furthermore, gentlemen of the Convention, suppose that the infamous military bill which is now before the Missouri Legislature, should pass, and Major General Jackson, who would be commander of troops under that bill, should declare that war exists in Missouri—that an insurrection has taken place in the State; then you are all put under martial law. The articles of war contained in that bill are then in full force, and the laws which now govern our relations in this State are silent. You all know that our laws then would be silent. Gentlemen, no truer remark was ever made than that by the Roman orator, who, in the midst of a great social conflict, declared that in the midst of the clash of arms the laws are silent. So soon as Maj. Gen. Jackson declares that war exists, or an insurrection exists in the State of Missouri, he puts us all under the articles of war, and you cannot speak disrespectfully of the Governor or the Lieutenant Governor else you may be subject to be brought before a drum-head court martial, tried, and taken out by a file of soldiers and shot down. Gentlemen, that bill gives that power, beyond all question. Suppose such a state of things should happen, and we should know directly from the people that the sentiments embraced in that bill do not represent the sentiments of the people of Missouri, and know, as we do know, that it is in violation of the Constitution of Missouri; then if an attempt is made to further carry us out of the Union, under military rule, he would be guilty of treason to his country and we would not be bound by his acts.

Then, where shall we look for protection? I want to be put in such a situation as that I can call upon my Government to protect us against the treasonable plots of these men.

I shall then object to the amendment. If one State of the Union may take this position, then all may take it. If Missouri may take it, Illinois may take it; Kentucky, Massachusetts, every State in the Union may take it. They may all make the pledge that they will not aid the Government of the United States in executing its laws. What would be the consequence? The consequence would be that this Government would be broken up. That it would be destroyed; that all authority would be at an end. It involves the proposition, then, of the destruction of the Government. It is the strongest argument that has yet been used in favor of Secession, because if one State can take that position, every State can take it; and if all the States of the Union can take it there is an end of the Government—an end of the United States of America. If the amendment simply meant that we would not attempt to wage war, against a State in its sovereign capacity, it would be a different proposition. But that is not what it means, and the only question we have to determine in regard to it, is as to what will be the consequences of taking such a position.

Whilst I am up, Mr. President, I wish to say a word or two upon the other questions which are before this body. I have read over the report which was made by the majority of the Committee of Federal Relations. I have read it carefully. I have read the resolutions appended to that report.

Mr. Gamble. If the gentleman will give way for a moment, I will make a motion to adjourn.

Mr. Broadhead. I have no objection to such a motion, provided I can have an opportunity of concluding my remarks in the morning.

Mr. Gantt. Before that motion is put, I desire to say that for the dispatch of business, it seems to me the Convention had better sit only once a day—that we had better have one long session than two short sessions. For that purpose, I would move that the Convention hereafter meet at 10 o'clock in the morning and adjourn at 3 o'clock in the afternoon. I understand that no inconvenience will result to the members in regard to their dinners, as some of the hotel keepers have announced themselves willing to conform to any arrangement the Convention may make.

Mr. GANTT's motion was put and carried.

Convention thereupon adjourned.

TWELFTH DAY.

ST. LOUIS, MARCH 14th, 1861.

Convention met at 10 o'clock.

Prayer by the Chaplain. Journal read and approved.

Mr. **GAMBLE**. I am directed by the Committee on Federal Relations to lay before the Convention a resolution which they have offered and reported, to be read now simply for information, that it may be laid on the table and printed. It will be offered as an additional resolution at the proper time, when the report comes up for consideration.

The resolution was then read by the Secretary as follows:

WHEREAS, *it is probable that* the Convention of the State of Virginia, now in session, will request a meeting of Delegates from the Border States for the purpose of devising some plan for the adjustment of our national difficulties; and, whereas the State of Missouri participates strongly in the desire for such adjustment, and desires to show respect for the wishes of Virginia; Therefore,

Be it Resolved, That this Convention will elect ——— Delegates, whose duty it shall be to attend at such time and place as may be designated by the Convention of the State of Virginia for the meeting of Delegates from the Border States; and if there should assemble, then and there, Delegates duly accredited from a majority of the States invited to such conference, then the Delegates from this Convention shall enter into conference with them, and shall endeavor to devise a plan for the amicable and equitable adjustment of all matters in difference between the States of this Union. And the Delegates appointed under this resolution shall report their proceedings in such conference, and any plan that may be there agreed upon, to this Convention for its approval or rejection.

Mr. **HUDGINS**. I rise to a privileged question. The intelligence I have received from my family is of such a nature as to make it necessary for me to request leave of absence until Monday, if it be the pleasure of the Convention to permit me to return home.

THE CHAIR. It will be granted unless objection is made.

Mr. **SHACKELFORD**, of Howard. I desire to make a statement to the Convention in relation to the question of mileage, which has been before the Committee on Accounts. We have had some difficulty in adjusting this question, but I hold in my hand a copy of the law recently passed by the Legislature, which does not take effect until the first of May. Although we are not bound by the provisions of that law, yet I would state that so far as the Committee have examined it—that is, the amount allowed to the members of the Legislature from each county—they believe it is equitable and just; more so than the old system of mileage, and I desire that it may be read, and if there is no serious objection to it on the part of the Convention, why, we shall make this new law a basis of our calculation of mileage from the various counties herein named.

The recent act passed by the Legislature was then read by the Secretary, together with the amount of mileage allowed each member in accordance with the act. After which, the report was laid on the table.

Mr. **BROADHEAD**. When I closed my remarks yesterday upon the amendment now before the Convention, I had undertaken to show—and I think I had conclusively shown—that so far as this question of constitutional power was concerned, there was no doubt that it was vested in the hands of the Federal Government, and when I say constitutional power, I undertook to explain that it meant the constitutional power to coerce the citizens of seceding States, and not the constitutional power to coerce seceding States. In other words, the meaning of this amendment is, that we are to be pledged if we vote for that amendment to-day to deny the power to the Federal Government to coerce the citizens of seceding States in any emergency. In other words, we deny the Federal Government the power to execute any laws, and we deny the power to suppress insurrection and repel invasion. As to the expediency of exercising that power, that is not the question now, and I am not here for the purpose of arguing this question as a question of present expediency, but for the purpose of showing the impropriety of this body pledging itself, on behalf of the State of Missouri, that it will resist any support to the Federal Government, in any emergency that may hereafter arise in the history of our country, in executing its plain constitutional powers. I have shown, I think, gentlemen of the Convention, that this power is a power necessary to the preservation of the very existence of the Government itself. I have shown, and I think conclusively, that it comes within the plain letter of the Constitution which grants Congress the power of calling forth the militia of the several States to execute the laws of the Government, to suppress insurrection and repel invasion. I have undertaken to show, and I think have conclusively shown, that by cotemporary acts of those wise men who framed that fundamental law, they gave the same interpretation to it that I have; the act of 1793 and the act of 1795, by their very terms, contained in the preample, declared that they were acts to provide for executing the laws of the United States, for the suppression of insurrections and repelling invasions, and showing by the language of that act that what was meant by the suppression of insurrection was the suppression of combinations in any part of the country, and that these were to be suppressed by an army, if necessary. Thus all these cotemporary acts of the fathers of the country showed that they interpreted that instrument as I now do. I will adduce another authority, although I did not intend to go back and read the opinions of Madison or Jefferson, or any body else, but to rely simply upon acts of Congress and the provisions of the Constitution itself. I have undertaken to show that ~~when Mr.~~ Madison declared, in the Convention that framed the Constitution, that he was opposed to giving the Federal Government the power to make war upon a State, that he intended that the Government should operate upon individuals in the State, and not upon the State in its sovereign political capacity. I will read, however, for the purpose of carrying out that idea, a remark made by Patrick Henry of Virginia—a man whose name is so well known to every American citizen, whose eloquent voice was raised in defense of the rights of his countrymen in those days that tried men's souls. I read from his argument in the Virginia Convention which had this clause under consideration which we are now discussing. You will recollect, gentlemen, if you go back to the history of the formation of the Constitution, that there was a large party in the State of Virginia and other States which claimed that the Federal Government, framed under the Constitution adopted in 1789, was a consolidated government. There was a party in Virginia which objected to Virginia's going into the Union under that Constitution, taking the ground that she was submitting herself to a consolidated government; that the Government, instead of being federal in its features, was national; that the power was vested in one head, and that it could operate on individuals; that the people of the United States had constituted themselves one nation. They argued against the adoption of this provision of the Constitution upon that ground, but they did not deny in debate that these powers existed. I read then from the argument of Patrick Henry in the Virginia Convention against the adoption of the Constitution. Mr. Madison had made an argument in support of it, and Mr. Henry made an argument against it. He said:

"The worthy member said that Congress ought to have power to protect all, and had given this system the highest encomium. But he insisted that the power over the militia was concurrent. To obviate the futility of this doctrine, Mr. Henry alleged that it was not reducible to practice. Examine it, says he; reduce it to practice. Suppose an insurrection in Virginia, and suppose there be danger apprehended of an insurrection in another State, from the exercise of the Government; or suppose a national war, and there be discontents among the people of this State; that produce, or threaten, an insurrection; suppose Congress, in either case, demands a number of militia—will they not be obliged to go? Where are your reserved rights, when your militia go to a neighboring State? Which call is to be obeyed, the Congressional call, or the call of the State Legislature? The call of Congress must be obeyed."

That was the argument of Patrick Henry against this provision of the Constitution, and it shows that he understood it as we do, and that Mr. Madison understood as we do. I think, then, so far as this question of constitutional power is concerned, there can be no question—that whenever insurrection takes place in a given State, the General Government has the power to suppress it. I care not how it may arise, whether by the head of the Government, or by any citizen holding office in the State Government, or by a combination of citizens against the authority of the Government, it is insurrection, so declared by act of Congress and understood by the Federal Government; and, if a State officer head the insurrection, he is raising his hand against the Government which he has sworn to support, because he has taken an oath to support the Constitution of the United States, and that instrument declares that all the acts passed by Congress shall be the supreme law of the land, the constitution of a State or State laws to the contrary notwithstanding. This, then, disposes of the question of Constitutional power.

What is the other argument of gentlemen in regard to this matter? When men plant themselves upon constitutional provisions and refuse to do what they think will be in violation of the Constitution of the land—and are driven from the question of Constitutional power the next argument is, what? An appeal to revolution. Because, if the Federal Government has the power to call upon the militia of the States to execute the laws of the United States, to suppress insurrections or combinations—if it has that power, and we pledge ourselves that we will not obey such demands, then we pledge ourselves to resist the Government—we pledge ourselves, in other words, to take the red right hand of revolution and resist the Government. Are we prepared for that? Hence the gentleman from Buchanan (Mr. Hall) said this was an argument in favor of secession. When men plant themselves upon that position, they take a position that they will resist and rebel against the authority of the Government—that they will engage in revolution, and for the purpose of preparing the minds of this Convention and the people of Missouri for that dread arbitrament, they appeal to Southern prejudices. The gentleman from Marion (Mr. Redd) says he will never take up arms under Abraham Lincoln. Who is Abraham Lincoln? I care not what his antecedents may be, I care not what his intellectual powers may be: Abraham Lincoln is now the President of these United States; and when a gentleman pledges himself that he will never obey his authority, he pledges himself that he will resist the authority of the lawfully elected President of the United States.

Mr. Redd. Permit me to explain. My statement is this: that I never will take up arms, nor can Missouri, in my judgment, take up arms under Abraham Lincoln, to coerce a sovereign State to compel it to submit.

Mr. Broadhead. Well, about coercing a Sovereign State. Gentlemen are very indefinite in their meaning about this word coercion. If they would just tell us what they mean by it, and not speak in vague and indefinite terms on the subject of coercion, then I could understand them. How do they meet this argument? They appeal to Southern honor—honor is the subject of their story. The gentleman from Andrew says, I love the Constitution of my country—I love the Union of these States—but I cannot sacrifice my honor! What honor? Is there any honor in resisting the laws of your country? Let us look at this question as reasonable men, and I trust we are willing to meet it as such. Doubtless the citizens of Pennsylvania, when they resisted the excise law during the Administration of Washington, thought their honor was invaded—they thought they had a constitutional right to manufacture whiskey out of rye and corn, and they felt that constitutional right was as dear to them, I suppose, as the right of the slaveholder to take his slaves into the Territories. They doubtless appealed to each other's honor, and forthwith took up arms against the government of that State; which not being strong enough to put them down, they then took up arms against the United States. Massachusetts, when she resisted the embargo law, thought her honor was implicated, because the embargo was unconstitutional. South Carolina, in 1832, when she resisted the tariff of 1828, thought her honor was implicated, because, as she supposed, an unconstitutional law had been passed. Every man who resists the law has some excuse for resistance. A man takes the life of his fellow citizen on the street because his honor requires him to do it. The poet has well said:

> "No rogue e'er felt the halter draw
> With good opinion of the law."

Every man who resists the authority of the Government, thinks that in resisting it he is defending his honor! Why is it, when men are talking about the Union and the execution of the law, constitutional and unconstitutional, should we appeal to honor? Honor will impel him to do what? To take, as the gentleman from Andrew eloquently explained, a halter in one hand and a sword in the other, and involve the country in a civil broil, and imbrue our hands in fraternal blood, and destroy the brightest prospects ever held out to the world or to humanity. Does his honor require him to do that?

What is the nature of rebellion? Is it not the destruction of property—the destruction of personal rights—the destruction of personal security—the destruction of everything which is held dear by men in this world? Does honor require us to do that? Does honor require us to involve this country in revolution? And for what? Because the Government of the United States may require you to execute the constitutional law. Out upon such honor as this! I take it that the true dictates of honor require a man to be loyal to his country, until a time shall come when the oppressions of that Government are such that no man can submit to them. When the wrongs which despotism may, from time to time, inflict, become *unbearable, then, and not till then,* is a man justified in resorting to revolution in vindication of his honor.

Much has been said about sectionalism, and yet upon all these questions we hear appeals made to the honor of the South. Now, gentlemen, I think I feel as sensitive of the honor of my native State as any man. And as it may be appropriate in this connexion, I desire to state that I claim to be a native of a Southern State. I was born and educated in the Old Dominion. I love my native State. I love her blue mountains and her green valleys. I love her for the glories that cluster around her at the present day. I love her on account of those venerated men she has given not only to bless this country, but the world—men who have been considered first in war, first in peace, and first in the councils of their country. And, gentlemen of the Convention, if there is any bond of affection which ties me to my native State stronger than another, it is that now, in this day that tries men's souls, upon the floor of her Convention, her Somers, her Stuarts, her Moors, now stand up for the flag of their country, which their ancestors gave them.

I will say a few words in regard to the report of the Committee on Federal Relations. It is an able document. I say, as a whole, and taking the resolutions as a whole, they meet with my approbation. There are some things, however, occupying the position I do, in that report and in these resolutions, about which I am called upon to say something. I speak particularly of that resolution—and I shall only give it a passing notice—which recommends the Crittenden Compromise, as it is called, and its extension to Territory yet to be acquired. My chief objection to that resolution is that it has been tried before by the people of the United States at various times, and that from the history of the efforts that have been made to have it adopted, it has been shown that it does not meet with the approbation of the country—I mean, particularly, that portion of it which proposes to extend its provisions to territory hereafter to be acquired. It was submitted to the Border State Convention and rejected by them; it was submitted to the Peace Conference and they did not adopt it; it was submitted to the Committee of Thirty-three and they did not adopt it; and so I think, although it is not put down in this resolution as an ultimatum, I think it may in time have that effect, and will be looked upon by the people of the country as an ultimatum, and that they will not be satisfied with any other settlement. I object to its extending to a territory yet to be acquired, because I think it holds out an inducement for further acquisition of territory and unnecessarily tend to involve us in wars with other countries, in order that slave territory may be acquired.

I shall not go back into the past history of the country to elucidate this position. I state this briefly as my objection to the adoption of the resolution. I am not prepared to say that I will vote against it, but I will state that this is the position I took before my constituents—a position upon which I was elected to a seat in this Convention, and I state here my solemn convictions in regard to that proposition, not only that it is wrong, but that no good can be accomplished by urging it. However, we are here in the spirit of compromise. Missouri has a mission to perform in her action at the present day. Her duty is to do all she can consistently with her honor and interest to bind together the discordant elements that now exist in this country, and bring back, if possible, the seceding States into the bosom of the Federal family. Her next duty is to herself—to see what her own honor or interest requires, and to see what position she must necessarily occupy. Hence, upon the first proposition, so far as the settlement of this question is concerned, I am willing to give up much, even of what I consider to be best for the accomplishment of this object, to the opinions of wiser and better men than myself. I trust I am willing to meet this question divested of all previous party predilections and prejudices—that I can meet this question as a Missourian—as an American citizen. And that is the position I intend to occupy. Standing here in Missouri—neither with the North nor with the South—standing in the bosom, in the middle of this great valley, as American citizens, as Missourians, it is our duty as Missourians and American citizens to take a position neither with the one or nor with the other. I am willing to cast aside past predilections, and grapple with this great question, if I know myself, without being influenced by any such considerations. In the report which has been read by that committee, I could have hoped that while Missouri assumes to act the part of a mediator, she should assume the character of a mediator—and what is the part of a mediator? either to let bygones be bygones, and to say nothing which may inflame the minds of one section or the other, or to show the faults of both. Hence, I could have wished that while that report undertook to denounce the party of 1,800,000 citizens of the United States, who have elevated the present Chief Executive to the Chair as a sectional party—that while it was denouncing Northern men for opposing Southern men, that it could also have recorded some of the acts of the Southern politicians which have been calculated to inflame the Northern mind. I could have hoped that they would not have failed to forget that that great measure which was canonized in the hearts of the American people, the Missouri Compromise, which gave peace to a distracted country for thirty years—I could have hoped that they would not have failed to recollect that that law was ruthlessly torn from the statute book. I could have hoped that they could not have failed to recollect the abuse which has been heaped upon some Northern men, and particularly upon that old sage of Massachusetts, John Quincy Adams, for standing upon the right of petition as a constitutional right, belonging even to the humblest and most fanatical of his fellow citizens; and I could have hoped that they would not have failed to recollect that there has grown up, that for many years there has been growing up, in the Southern mind, a system of tyranny in public opinion which has denounced and put down every man who chose to call in question the opinion of the dominant party on the subject of slavery—a system which, while it permitted individuals to talk on all other questions, while they were at liberty to discuss questions of general political economy of morals and religion, they could not talk upon this one question; and I could have hoped that the Committee would not have failed to recollect that there has been formed, in the madness of the hour, in the Southern States, an organization which has seized upon our arsenals and upon our forts; which has robbed the treasury of our common country, and which is now seeking to cover up in anarchy and blood the damning evidences of its guilt. But I pass these questions all by, as sins of omission rather than commission. There is one question, at least, upon which we can all stand, and that is the first resolution—that there is no cause existing why Missouri should go out of the Union, and dissolve her connection with the Government. Upon this question, as I said, Missouri is interested. Missouri has an interest of her own, and must speak for herself. And I shall enforce that position by a reference to her present geographical position. So far as this question of slavery is concerned, I shall enter as little into it as possible; but when gentlemen talk about violating the *institutions of their States*, I want them to talk sensibly upon the subject, and let us know what they mean. What are the institutions of Missouri, and what her position in this confederation of States? I admit that negro slavery is one of her institutions. But she has other institutions, if they may be so called, which are equally as dear to her as the question of negro slavery. Ten years ago she had 90,000 slaves within her limits, and something over 500,000 free white inhabitants. The last census shows that we have 112,000 slaves, and upward of 1,100,000 free white inhabitants. The increase of slaves during that time has been twenty-five per cent; the increase of our white population has been over one hundred per cent. Taxable property in the State of Missouri ten years ago, according to the census, was $136,000,000; the taxable property of Missouri to-day is $360.000,000. Her taxable property, then, has increased in the ratio of more than three to one, her white population has doubled itself, and her slave population has only increased in the ratio of twenty-five per cent. Now, will you tell me what has given this additional wealth to Missouri? Is it the slave population, when that increase has only been twenty-five per cent; or is it the increase of the white population, when that increase has been over one hundred per cent? The value of slave property in Missouri, as stated by my friend from Andrew, (Mr. Hudgins,) yesterday, is about $100,000,000. The report of the Auditor of Public Accounts at Jefferson City, published last winter, shows that the taxable value of the slave property of Missouri, is $45,000,000; one-ninth of the taxable property of the State, and less than half the estimate made by *my friend from Andrew, showing that he is as* badly mistaken in his statistics in regard to the slave interests and slave property in Missouri, as he is in regard to his doctrine of constitutional power. Where has this great increase in the white population of the State come from? The resources of Missouri are various; her interests consist in her agricultural, mineral and commercial resources. Her slave population is engaged in raising hemp and tobacco principally, but there are mining, manufacturing and commercial interests, and who is to carry them on? You have within 100 miles of St. Louis, iron enough to supply the wants of the world for centuries to come. It is estimated by a scientific man, who has recently made that a subject of investigation, that there are contained within the Iron Mountain alone, two hundred and thirty million tons of iron. It is now accessible to this city by railroad, and all that is necessary to develop this wealth is labor. Now, sir, every able bodied man who comes to this State to get employment is worth $2,000 to the State; let him come from England, Ireland, Germany, or from Eastern States, *if he is industrious and willing to* labor, he is worth to the State, in developing its agricultural and mineral wealth, $2,000. And are we to drive all these means of wealth away from us? Where are we to get this means of developing our resources? Where are we to get the men to open our fertile prairies? Where are we to get the men to work in our mines, in our workshops, and to carry on our commercial business, if it is not from the overcrowded Eastern States and Europe? But if you make Missouri a member of the Southern Confederacy, with but a small slave population, you can see at once that all this population is driven off. Men will not come to come to Missouri for the purpose of engaging in these pursuits, when they know that, so far as our political power is concerned, we shall be subjected to the cotton lords of South Carolina and Louisiana.

Hence, as our report very well says, Missouri as a member of a Southern Confederacy would be a non-slaveholding State in a slave community, for slaves would be driven off, because we are surrounded by a cordon of free States into which our slaves would escape, and slavery would not exist ten years after Missouri joined a Southern Confederacy. As she stands now, she is protected; and I am willing to go as far as any living man to protect the institution of slavery in the State of Missouri. I have no prejudice against the institution. I have been raised with the institution, and I know something of it. I am a slave owner myself; but I am not willing to sacrifice other interests to the slave interest, or say that it is the peculiar institution of Missouri, when we know that it is not true. I am not willing to sacrifice to the slave interest, the commercial, mining, or other *interests of the State.* I stand here not as a Southern man, but as a Missourian and an American citizen. Born at the South, I think I know something of my duty to the South as well as to the Constitution of my country.—But, further than this. Look at the position of Missouri in a geographical point of view. Here she is in the temperate zone, the home of the white man, in the middle of a great valley, and, whether you go east or west, you find similar institutions to those that almost surround us. All these States want a communication through this State, and Missouri is the pathway through which they must travel; and they will have that pathway just as certain as we will have an outlet to the ocean. And more than this, efforts have been made for the purpose of connecting the Atlantic with the Pacific Ocean, by means of a railroad, in order that the wealth of the Indies may be poured into the lap of this country of ours. And Missouri stands in the pathway of nations; over her soil this pathway must run, just as inevitably as fate. And do you suppose that the accumulated interest of the East and the West, and I may say the world, will ever submit to have an interdict placed upon that pathway. I say, then, gentlemen of the Convention, that Missouri cannot go out of the Union if she would; and I think I know what I say when I speak it, that she has not the power to go out of the Union if she would.

It may be, an attempt to take her out would result in convulsion and civil discord. It may be that an attempt to take her out would result in convulsion, and it may be that convulsion would produce revolution and death. But our ancestors submitted to more than this, and for that destiny who is not willing to die? That man who does not know when to die, is not fit to live. I say it may result in convulsion. Our ancestors periled all in the formation of this Government; they pledged their lives, their fortunes and their sacred honor, to maintain the principles of republican liberty. Are we willing to do less? Are our lives and honor worth more than theirs? Certainly not. Could they, but three months ago, or five months ago, have seen this country in the pride of its power—could they have seen the morning light of science which but dimly dawned upon their vision, shining more and more brightly even unto the perfect day—could they have seen the elements harnessed down to the service and wants of man—could they have seen our mightiest rivers spanned with the triumphal arches, and the distant portions of the continent united by bands of iron, upon which are borne by a power not known to them, the peaceful caravan of commerce, which the victories of peace have brought us—could they have seen all these triumphs, how much would they not have pledged for their eternal preservation? Shall Missouri do less? Shall she cast the bark of her hopes upon the stormy sea of revolution, or will she remain, as I think she will, firmly anchored upon the rock of the Constitution, under the protection of our national flag? So far as she is concerned, she should live there and die there.

Mr. Orr. I have been requested to come forward and take a stand upon this platform, in order that I may stand before the Convention. I was raised in the backwoods, gentlemen, where mirrors or looking glasses, ten by twelve inches square are considered large, and having been invited, in common with the balance of this assembly, to participate in the hospitalities of gentlemen of St. Louis—on one occasion, after a number of us had collected, we were invited into a certain room in which there were mirrors about the size of that door, and a little gentlemen whose name would not be worth anything to you on the present occasion, steped up by my side, and said he, "I thought I saw you in the other room." I looked around and saw a very good looking man about my size, standing in the other room, and, turning to him, I said "I believe you are in the other room, too." Then, for the first time in my life, did I enjoy the luxury of viewing myself at full size; and I have no doubt that the exhibition I made of myself in the canvass last summer, caused me to receive many votes I would not otherwise have received.

Gentlemen of the Convention, you and I are called here by the people of Missouri, to take into consideration the relations existing between the State of Missouri and the Federal Government. We are here as component parts of the best Government in the world—a Government in which the rich man and the poor man have life, liberty, character and property, better secured than in any other Government that has yet been made—a Government in which the rich man's son and the poor man's son, and, in fact, all, are better fed and better clothed and better educated, than in any other spot on this green globe. We are here the proud recipients of a Government possessing every climate and every variety of soil, with all these blessings, with everything that is calculated to make men happy upon earth, and with all these liberal institutions under which we have been reared, and yet we see men coming up here and deploring the condition of affairs that now surround us. Hence, it will become necessary to spend a few minutes in giving what I consider to be the cause of this lamentable state of affairs. We have different views from different gentlemen, as to what has caused all this. You hear some of them declaring that it is because a sectional man, with a sectional platform, has been elected to the highest office in the gift of the people, and we hear others say it is because of certain personal liberty bills that have been passed in Northern States, which set at defiance the Constitution and the laws of the country. Let me tell you what I think it is. Living in a country, as we do, where the rich man's son and the poor man's son have like aspirations to attain, at least, the highest offices in the gift of the people, partyism has, as a consequence, been growing up in our country from its earliest history. There have been various party divisions, and for the last few years party drill has become so well understood, that a few demagogues and wire-workers and office-seekers have been managing this country, while the masses have been attending to their own business, and paying too little attention to the vital interests and institutions of the country. Men have held conventions, have affirmed their action as the will of the people, when the people were not consulted about it; they have placed in nomination for high offices individuals who have never done anything to entitle them to such a position; and when you and I have been plowing, and working on Lincoln platforms—making rails—such individuals as these would carry out their plans and declare that we were disorganizers; that we were bolters, going to destroy the Whig or Democratic party, unless we acquiesced in their action, and, rather than be called by these names, we have marched blindly up to the ballot-box against our better judgment, until merit, qualification, integrity and honesty have been left out of view almost entirely, and men have been elected to the highest offices in the country because of availability and regardless of ability. Gentlemen, I hope that we will survive this, and when we shall have done it, then I see a disposition in the American people to take their own cause into their hands, and henceforth conduct things upon the old Jeffersonian principle, and select men because they are honest and qualified, and who will do what they say, and not because they belong to the dominant party. Why, sir, when this Convention bill was passed, the people were called upon to select men, and what have they done? Bad as they may have failed in some instances, they have done their best, and selected the best men they could; and when they failed it was because they were deceived. I have been what is called an Opposition man in Southwest Missouri, because I have been acting against the Democratic party; and when I became a candidate, together with two old Whigs, everything possible was done to make the people vote against us on the ground of partyism; but old white-haired Democrats, who have hitherto never failed to vote the Democratic ticket, disregarded this appeal, and voted for men who they thought would act for the best interests of the country. Permit me to say here, that I traversed the State of Missouri last summer more than any other man, and when these difficulties were coming upon us, and without any character as an orator, without being entitled to anything of the kind, yet on every occasion, where I had an appointment, I saw old white-haired men, who had never before taken any particular interest in these matters, rushing out to hear what might be said, and to see how they might act for the best interests of their country. And I now believe that when we are again called on to vote, it will be for Constitutional Union-loving men, disregarding former political ties. Notwithstanding you hear men talking dolefully about the destruction of the Government, I for one do not believe it is going to be destroyed. I believe that the people of Missouri, and of the whole country, will stand together, to hand down the richest boon ever transmitted, untarnished, to posterity. I have been trying to get the floor since this amendment to the fifth resolution of the majority report has been offered, for the purpose of speaking to it, and I had intended to confine my remarks as closely as I could to the subject before the Convention. But, since the debate has taken the course it has, I shall now, as other gentlemen have done, speak to the report. I will try not to be tedious, and I will promise one thing, that whether I will quit when I am done or not, I will quit when I think I am done. [Laughter.] We are called here to express our several views in regard to the relations that we bear to the General Government, and the relations that exist between the State of Missouri and other States, and whether we have the right to secede, or whether the General Government has the right to coerce a State back if she undertakes to go out, as well as various other subjects which have been brought before the Convention.

Now, what are the relations of the General Government? It has been argued before you that a State has the right to secede; it has been argued by others that it has no such right. Now, before I go into an investigation of the subject, it will be well enough for us to consider for a moment whether those States that have gone out, are really out of the Union or in it. If they are a separate confederacy—an independent republic—our duties towards this people will be different from what they would be if they are part and parcel of this Government. I think I can satisfy any reasonable man as to whether they are out or in. I take the position that they are in—that they are members of this Union to-day, and that they have no right to separate their connection with the Government.—How will I prove it? By submitting a proposition. The Constitution of the United States has made a provision for receiving new States into the Confederacy. Now if Georgia, South Carolina, Alabama, Mississippi, Florida and Texas, are out of the Confederacy and they take a notion to come back, would it not take another organic act of the General Government to admit them again, as it takes two to make a contract.—If they are in, although they may be derelict in this duty—although they may be in open rebellion against the Government, and though they may stay out, for years, yet, when they get ready to do so, have they the right to elect Representatives and Senators to Congress, and ask odds of nobody as to whether they can come in or not? If they have, I ask you in the name of common sense, whether they are not part and parcel of the General Government? And further, suppose we get a telegraphic dispatch this evening that Great Britian has invaded the soil of South Carolina, is there a gentleman in this Convention the patriotism in whose bosom would not in a moment be kindled and impel him to go there and defend our sister State? If there is a man so mean and so low as not to go there, then there is a General Government and a General Constitution that you and I have taken an oath to support, that will make it your duty to go there, whether you want to go or not. Then I come to the conclusion that if we have to protect her, and admit her Senators and Representatives into the general Congress of the United States, that they are yet in. Although they are doing wrong, although they may be acting rebellious and treacherous to the best Government in the world, yet they are members of it, and have a right to all the blessings and privileges that you and I have, whenever they choose to take them. It is said, though, that they have the right to go out, and you hear it said by some gentlemen that they have gone out, and that they are no longer members of the Confederacy; and one gentleman, yesterday evening, argued the legal right to secede, and others take the same position, and I think they must have read the Inaugural Address of Maj. Claib. Jackson, for in that address he takes this position and says: "I will not stop to argue whether they have the right to secede, but yet they have seceded." And gentlemen upon this floor say they have seceded, and that they will not stop to talk about constitutional right. They remind me of a magistrate I heard of in the State of Illinois once. I have never been there, and I have never made a track in a free State in my life; but in the first settlement of Illinois, I understand the jurisdiction of a magistrate extended to $20. On one occasion a couple of litigants appeared before the magistrate, and one of them obtained judgment for $30. The defendant says, "Why, Squire, you can't give judgment against me for $30." The magistrate kept on writing. The defendant again said, "Squire, you have no authority to give judgment to that amount." Still the magistrate continued writing, and without looking up, said, "Don't you see I have done it?" [Laughter.] It makes no odds whether they have the right to secede, but they have seceded! This is enough for you and me to know. It is a knock down argument that no man can get over.

Some gentlemen who addressed you are great sticklers for the words "Compact" or "Confederation." They won't give the Government the dignity of calling it a Government, but they will call it a compact, a confederation. It is no such thing. We had a confederation before we made this Government; we had a Union before this Government was made and before this Constitution was framed, and that was called a Confederation—the old Confederation of States.

But this is said to be a partnership—a partnership that any party has the right to dissolve at any time. The Abolitionists of the North have passed Personal Liberty bills, and violated the Constitution of the country, and it is said we are no longer bound to the original agreement, and we take the liberty of dissolving the partnership at pleasure. Let us examine that for a moment. Take a law partnership for instance, and suppose one of the partners has failed to comply with the articles of partnership, has the other partner the right to dissolve it at pleasure. Never. He has the right to make an equitable case and have the partnership wound up in a proper manner, but he has no right to take it into his own hands and dissolve the partnership at pleasure. To illustrate still further, suppose A. and B. are partners in trade in St. Louis, and that they have accumulated $100,000, $50,000 of which is in money, and the balance in a stock of goods, not insured; on a certain occasion the house gets on fire, and A. being near, and seeing that he can save the money, safe and sound, and knowing where it is put away, rushes in just in time to obtain it, and down comes the house, and away goes the goods. B. comes up directly, and congratulates A. that he has got enough to save them. I am glad, he says, since it is no better, that it is no worse. We can take the $50,000 and start in business anew. But, oh! says the other partner, you are not in time; just at the time I came here I took a notion to dissolve partnership, and took out what belonged to me. [Laughter.] South Carolina took a notion that she would dissolve partnership and take all the forts and treasury, without counseling with the other States whether they would agree to it or not. She got off with her part, and now we may help ourselves. What would B. have said to this man? Would he have taken a club and coerced him to his duty? No. He would have said: you and I have built up a character and made a respectable show by honesty and integrity, and now let us continue; I ask you in the name of common sense and justice not to disgrace yourself and ruin me forever, but come and divide the $50,000 and let us go on, and with our character at home and abroad we can extend our credit, if we only act like men. Suppose B. should say in reply: "No, sir, I dissolved the partnership, and I had a right to do so; you were not here to get your share, and you can get none of mine." What do you guess he would do? He would go to the Clerk's office and obtain a writ—not a musket and bayonet—but a civil writ, and commence a civil process to obtain his part according to the laws of the Government. "Oh, yes, I understand you, but I say no,—you are a coercionist." I stand in favor of the

Constitution of my country, the Union of the States, and the enforcement of the laws, and if this is coercion, you can have it for what it is worth. What kind of a position would we be placed in if we could not do it? The strong men would rule the weak. If we cannot coerce by civil process, I want the Government broken up. It is not worth anything. Its force is gone. And we might as well be without any Government at all. But I am one of the last men who desire to send an army into the South or to send civil war into the country. But we are asked how we are going to enforce constitutional law when the officers have all resigned? We are not going to do it at all, if there is no one to do it. How would Judge Breckinridge, who is Circuit Judge of this District, have the laws enforced here if men were all to become so corrupt that Grand Jurors would not find bills against murderers? He could not do at it all. When the people become so corrupt that their oaths to the Constitution, and the blessings of this Government will not force them to do their duty, I suppose they would suffer as well as we. We will not send an army to force them to elect officers, but we will hold still, and contend for blessings that you and I can have in this country as long as Missouri has the honesty to enforce the laws. They will probably want the laws enforced as soon as we will.

There are men here to-day, gentlemen, in this city, from Georgia and Mississippi, and they say that the people of their country are tired of the reign of terror there—that the people intend to hold on, until election comes off, and then they will try and vote down secession and revolutionary movements, and if they cannot do that the time will come when they will walk over the dead bodies of these demagogues, if need be, and come back into the Union. The people have not been consulted in these Southern States about going out, but these leaders and demagogues, (I call things by their right names,) the traitors have taken them out without consulting the masses of the people. I know some gentlemen say that I ought not to use these harsh terms to the people of the South, nor will I to the masses. There have been parties in this country, the masses of which intended to do right. The people of the South are patriotic and Union-loving as you and I, but they have been misguided, many of them, and the balance have been forced into submission. I say here, to-day, without fear of successful contradiction, that if every officer of the United States were to resign, if every member of Congress would resign to-day, and let the election come off in thirty days from this time, and let Congress meet in sixty days from to-day, they would not be there ten days before every difficulty would be adjusted. The people of the North and South want to do what is right, and they will do it when they get a chance.

But we are told that Lincoln has been elected as a sectional candidate, and that his people are on a sectional platform. Who are his people? He was elected by a little more than one-third of the people of the United States, and there were several circumstances besides the Chicago platform, that aided his election. The people of Missouri, and the people of the Southern States aided in electing Lincoln. Not directly. They did not vote for him, but by voting for the three other candidates they assisted in his election. There were 100,000 votes thrown for Lincoln upon the tariff question, and many voted for him because of the corruption that had crept into the high places of this Government, and they saw no other chance of defeating the party in power. When I say the present party, I want to be understood I do not say the Democratic *party* is corrupt, but it has been led by corrupt men. Corrupt men have held offices, and rather than give them up they would see the Government crumbled into dust. I believe if Lincoln was to run to-morrow against Bell or Douglas he would be beaten. Why do I come to this conclusion. The North polled nearly 400,000 more votes against Lincoln than the South. We talk about breaking loose from a body of men who by education have been prejudiced and misled, but yet we find that in the North there were nearly 400,000 more against Lincoln than we had against him. Then, when we cut ourselves loose from that element, we make them enemies by secession, and foreigners.

And what else have we done? We have destroyed the commerce of the United States. What kind of a Union would the North be by itself, commercially? What kind of a Union would the South be? Our interests are one—we have one destiny. The God of Nature himself so arranged it, that so far as our wants were concerned, our wants should be supplied. The South furnishes its cotton, its rice, and its sugar to the North, and receives in return the wheat and the corn, and all kinds of produce. But cut the Government in two, and what do you see? Every mule that we raise here will have to be taxed—a portion of every mule and every hog, and whatever else we have will have to be taken to support this government in the South. And when they send their cotton to us, instead of getting the full price for it as now, they will have to have a portion taken off to help protect the tariff revenue of the Northern confederacy. Now, sir, we are groaning under the burthens of taxation as one people, and does any man of sense suppose that we could support two governments, when we are now complaining at the cost of supporting one. This country was and is destined to be one great government.

You hear men make beautiful appeals to the stars and stripes, you will hear them say many pretty things, but I want you to notice from this time on, that the man who says the most pretty things at the start, is just fixing for secession before he gets through. [Laughter.] It would be poor consolation to my constituents for me to express my devotion to the Union and the Stars and Stripes, and then give such votes as would stab the country to death. When a Doctor comes to see a patient, he talks learnedly about the disease, and feels the pulse or examines the tongue, and makes you believe he knows all about the system, but when he comes to administer calomel, if he happens to give him strychnine or arsenic, I suppose the high-toned terms the Doctor used would not prevent the laws of nature taking off the patient. Now, sir, I want to allude a moment to the resolution, and the remarks I make will be scattering, because so many able gentlemen have preceded me.

The gentleman from Clay, [Mr. Moss,] who I will do the honor to say is a devoted Union man, has offered an amendment to the resolution which implies a meaning not contemplated by the original resolution. Let us examine where this amendment would lead us. I think its doctrines would ultimately destroy the Government. I think we have not the right to enact a law of this character. Take up the Constitution of the United States, and you see that Congress has the power to levy and collect taxes, declare war and coin money, and do various other things that the State of Missouri cannot do at all. You and I are subject to a war-making power, that Missouri has nothing to do with, except through her Representatives in Congress, and you and I cannot help ourselves, and the State of Missouri does not help herself, unless she does it by open rebellion. Then she is not sovereign, because we have a law over us. Missouri cannot pass a bankrupt law, but the United States did, and all the people were subject to it. The same day that Missouri became a State she became a portion of the United States, and I believe when Missouri accepted that organic act she said: "This act shall not be repealed without the consent of Congress." Then we are not sovereign. Let us examine how she would place herself by the adoption of this amendment. There have been a good many difficulties supposed. Now, suppose these States that have gone off to maintain their independence—suppose all the powers of Congress were brought to bear in favor of maintaining the independence of this Confederacy—suppose they should come here and invade Missouri for the purpose of conquest—I suppose we should be compelled by this amendment to stand still, with folded arms, and when we see our houses on fire, and our neighbors swinging to a limb, and our wives and children massacred by these warriors from the South, we dare not raise our hand. Is not that the position we would be placed in by this amendment? Suppose the citizens of Chicago—and I believe they are the most noted people of the North—should come here and steal our last nigger, and then get Illinois to secede, and we were to call upon the General Government for aid—and I hope that we have got a General Government that we can call upon, for we have not had heretofore in this respect—for I remember, last year, a gentleman who is a member of this Convention, tried the operation; He had a negro who run off to Chicago, where he found him, but he was rescued by free niggers, and he then applied to the General Government to send troops, as Fillmore sent troops to Boston; but his request was received with silent contempt. And here let me say that, for the last eight years, if the Presidents of the United States had enforced the Fugitive Slave Law in the North, there would have been none of this difficulty in the South to-day. All we lack here to-day, to constitute us the best government on earth, is to have a President who has nerve enough to enforce the laws North and South.

Well, suppose there is a right to secede, is it our interest or duty to do so? You have heard various estimates as to how much negro property Missouri has. You have heard that she is surrounded by three free States, who would be backed by a hostile government in case of secession. What kind of a predicament would we then be in in regard to our negro property? Notwithstanding, I could get good certificates from home, and from great men all through the State of Missouri, that I am a respectable Black Republican in good standing, because I last summer declared and renew the declaration here to-day, that I am ready to aid Mr. Lincoln in the discharge of any constitutional duty, I say to you, I am in favor of the institutions of my country. I am in favor of the institution of slavery, and I say to you here to-day that the institution of slavery has advanced this great Government far ahead of what it would have been had it not been for slavery. I believe, before God, that it is calculated as a blessing for black and white men both, when properly conducted. Slave labor is adapted to the wants of the South. It would continue to be a blessing if we would only quit this agitation on the subject. But if we cut our connection with the General Government, let the interest in slave property be 45 or $100,000,000, it will be wiped out within one year after such a severance. Then it is not for the interest of Missouri to sever her connection with the Federal Government. The only salvation for the institution of slavery, is her adherance to the Government that proects slavery. Now, if they go to Illinois, we get some of them back; but in case of secession, we get none. Then, as to our duty: there is something to attend to in this respect as well as our interest. I will illustrate, and in doing so, will show the point of coercion. Suppose a company of these delegates before me associate themselves together for the purpose of crossing the plains to California. They start, and on the way encounter difficulties and dangers, but they pledge themselves to stand by each other. By and by the dangers become so great that a portion begin to feel unsafe. But just about this time there comes along a company of gamblers, drunkards and robbers, that have numbers sufficient to protect themselves against the Indians and the bad white men. Some of the disaffected ones in the other party see this, and associate themselves with the gamblers and robbers, without consulting the balance, and any attempt to get them back would be met by the declaration that they had the right to go. Presently things are carried to such an extent that by-and-by the other party is coerced entirely and compelled to join this party of gamblers and drunkards and robbers. Just so the South are acting to-day. They claim the right to violate these pledges, and now invite us to go with them; but I am in hopes a report will soon be forthcoming that we can't trade. They invite us to do what? To abolish our slave property as Missouri, Kentucky, and Virginia will be forced to if they join a Southern Confederacy. They desire us to do this in order that their own slave property may be protected. Now, are you willing to be forced to do that which you do not believe is right? I, for one, intend to stand by the Union as long as there is a solitary State that will stay with Missouri. I have been told that Missouri and other States, by so doing, would have to pay the public debt. I believe there is an intimation of repudiation. I see, in the Southern Congress, that if Lincoln will treat with them, and make an equal division, they will pay their portion of the public debt, but if he don't do it, they won't pay any of it. As long as Missouri or any other State shall remain in the Union, I am willing they should assume the public debt. I know they will be able to pay it eventually, as well as I know I shall be able to pay all the debts I owe the citizens of Green county—and, so help me God, if I never pay my debts, I never will deny them; I will give a new note as long as they want it. And so long as Missouri stands in the Union, I will pledge myself that every dollar of the public debt shall be paid.

I want you to understand that I expect to live and die a citizen of the United States. I do not expect to ever go out of this Union alive. What great use would we be to the South? We should have a slave code upon our statute books and not a slave in the State. We should stand here simply occupying the high position that the cotton bales did for General Jackson—to stop the bullets of Northern men from going down South and hurting somebody. [Laughter.] And that is what they want. They know, sir, that Virginia, Kentucky, Tennessee and Missouri united, would be tolerably hard to get over, and if a Northern Confederacy undertook to travel over these States it would be some time before the wives and children of the South would be put to flight by the sword; hence, they want us to stand here as a breastwork. I am unwilling to do it. "Oh, you are going with the North, are you?" No, sir. I am not going trotting about with Missouri for anybody. I am going to stay right here, where the God of Nature placed us, and so far as my influence is concerned, neither go North nor South. I look forward to the time when the present wandering States will come back, having seen the error of their way and without being whipped back "Oh then if I am for the Constitution and the enforcement of the laws, I am a coercionist." No, sir. To illustrate my character in regard to whipping, though it may not be a great honor to myself—I had a couple of little boys of fourteen to sixteen years old, who ran away from me one day, and then it was, I felt as I never had felt before. But my family was not dissolved. I still had a family. The balance of us did not run away. Before night, one of them came back. I put him on a horse next morning, and gave him another horse, and some—money to pay his expenses, and sent him after his brother, and when they both came back, in place of shedding blood, I shed tears. So I would deal towards these Southern States. Although they have done wrong, although they have acted badly to the Border States, yet I hope to see them come back after their pride is out, in order that this difficulty may be settled, and this Government continue the best on earth. Now, I desire to allude to certain arguments that have been made here. The gentleman from Platte, I believe, made a speech, in which he takes the liberty to say that if force is employed, all hope of settlement is gone. He then talks beautifully and feelingly, like an individual without hope,

> "If hope be dead, why seek to live?
> What else beside has earth to give?
> Life, love, and youth and beauty, too,
> If hope be dead, say, what are you?"

I do not understand, however, that the 5th resolttion says all hope is lost. I have hope that there will be a settlement, without a fight; but if there be a fight, it will be such an one as history does not talk about. But I yet think the difficulty will be settled and that this will yet be a nation with a republican form of government, But if the Government cannot be saved, then the last hope of the capability of man's governing himself is destroyed. And I suppose it will be a great while before another nation can be found willing to set themselves up to be shot at in order to try the experiment. Then I believe the gentleman from Cole made a few remarks, and I briefly notice one remark he made. He says if we plunge into war, we should be required to stain our hands in the blood of our brothers. I suppose he would not regret it more than I would regret it; but at the same time, I should regret that my brother should find it necessary to stain his hands in my blood equally as much.

I will now notice the gentleman from Andrew, (Mr. Hudgins,) and let me here say that his zeal, and the exertions he made, not in defense of his country, but in defense of secession and rebellion, deserve a better cause. I say it was an able effort; and the cause which he advocated will not find a better advocate than he. But I will notice a few of his remarks, and try to do him no injustice, for I believe he has obtained leave of absence, and has left. He says he understands the sovereign States bestowed certain powers on the Federal Government. I don't understand any such thing. I understand the General Government is a Government made by the people of the United States, and that its powers are from the people of the United States, and not from the States at all. He says that he does not believe that leaders in the South are traitors, but that they act from principle, and he admires their patriotism. I think he must have been reading Gov. Jackson's inaugural address. He says; "I will not pretend to justify the conduct of South Carolina, but I say she is a patriotic State." A patriotic State! A State that has torn down the stars and stripes of our country—a State that has run up the insignificant Palmetto flag—a State that has fired into the vessels of the United States. Oh, that's patriotic. I say the *people* of South Carolina are patriotic, and I have no doubt of it, but I say their leaders are traitors.

The gentleman from Andrew says, if the fourteen slave States all go out, he wants Missouri to go with them. Now, I hope the freemen of Missouri will be actuated by higher motives. And should oppression become so intolerable that we are reduced to the painful duty of revolution, we will engage in it, but not because other States go out or revolt. *That* I believe is the only argument which the gentleman offered why we should revolt. Now, would he not make a great juror? Suppose he and eleven others impannelled to try a man charged with the crime of murder. And, after hearing the testimony, and argument of counsel, the gentleman from Andrew comes to the conclusion that the testimony is not sufficient to satisfy his mind of the guilt of the criminal. But if the other eleven jurors say he ought to be hung, would not his argument take the gentleman with the current, and convict a man because others say he should die. If we secede because other States do so, are we not for secession in the abstract?

And right here, before I conclude, let me say that this Convention seems to have disappointed those who have called it together, consequently they are talking about repealing the law. They thought that by calling this Convention they could take Missouri out of the Union, as the gentleman from Buchanan the other day truly stated. I say truly, because the bill was rushed through with hot haste, and without time to reflect, and the people had but few days to prepare; but they rallied to the standard, and sent up a Convention to keep Missouri in.

Gentlemen, I will try to say but little, if anything more, on this subject before giving my vote. I hope we shall be able to do our business this week. I want to give my hand to Virginia, Kentucky and all the States that are doing what they can to preserve the integrity of this Government, and will ask them to be with us, and not go with the States of the South that have gone out of this Union; and I am for telling them that we will stand by our Government as long as there is any hope of maintaining its integrity; and when we are forced to go out we will do it in bitter anguish and not in joy. It is said by some gentlemen that this Convention is all Union. I do not think so. But while I do not think so, I hold that those who are not for the Union have an equal right with me to take the course they see proper. All I desire is, that every man should state his position openly and firmly. If he is for the Union, it is his duty to say so. If he is against it, let him say so; but let no man say he is for the Union and vote against it.

Mr. Redd. Mr. President and gentlemen of the Convention, it is well known to you that I entertain the view that a State, when its constitutional rights have been trampled under foot, and its institutions endangered, has the right to declare the compacts that unite it with its sister States at an end. I did not desire to discuss that question for the plain, palpable reason that, under my view, that right does not spring up until a state of case exists under which every man who is not for unconditional submission would admit that the right of revolution exists. But while I would concur with a large majority of this Convention, and of my fellow citizens of Missouri in the existence of a right to defend the Constitution and maintain our institutions, if necessary, out of the Union, and by force of arms, I did not desire to enter into any controversy with them as to the name by which that right should be called. I was willing they should call it revolutionary right, because revolution has no terrors for me. If a state of case arises in which, in my judgment, it becomes necessary to go out of this Union and maintain the institutions of Missouri, and the constitutional rights of their citizens, by force of arms, I say, to call that a revolutionary act, has no terrors for me. I care not for a name. I did not intend to discuss this question at all; but I have heard Southern men and Southern States denounced as traitors to their country; I have seen the charges made by the New York Tribune, and papers of that character, and I have heard those charges reiterated and detailed here, and I deem it but an act of justice to *them* to discuss this question. I know, in entering that discussion, that I labor under many and great disadvantages. As I have been a farmer, raised up between the handles of a plow, receiving only such an education as was received in my day at an ordinary country school, I have to meet here men of giant intellect—men of an intellect cultivated by education—men of a national renown as statesmen and jurists. I state this, gentlemen, that if I should fail in bringing your minds to the conclusion at which mine has arrived, you may attribute it to the true cause—the weakness of the advocate, and not any defect in the cause which he pleads.

There is one proposition, upon the determination of which this whole controversy rests. You have heard it announced from this stand, again and again, that the Constitution of the United States was made by the *people* of the United States as one community. If that be true, then many of the conclusions to which the gentlemen arrived are the logical sequence of that proposition. But I deny that it is true. I challenge them to the proof. This is not a legal question—it is a question of fact. Who made the Constitution? I say it is not a legal question, who made it. What its effect is, is a legal question. But the question, who made it, is one of fact, as much as the question *when* it was made; and it is a question to be determined, like every other fact, by appealing to historical evidence. Gentlemen have laid before you the evidence, and the only evidence they can produce, to sustain their proposition. That evidence is contained in the recital of the Constitution. It is contained in the preamble of that instrument. I admit that the instrument upon its face recites the fact that it was by the people of the United States. I admit that that recital is *prima facie* evidence of the truth of that fact; for I desire to meet this question fairly. I desire to give full weight to all the evidence they can adduce to maintain their proposition. Then, I say that recital is *prima facie* evidence of the fact. But it is not conclusive. Any instrument may recite that which is untrue, if it has man for its author. The real question is, is that recital true? And it can be decided only by appealing to historical evidence.

I am sorry, gentlemen, that my health is in such a condition that I cannot discuss this question as I would desire to do. Before I enter upon that inquiry, I will state to you the proposition that in my judgment is true, and whose truth I believe I can demonstrate. It is this: That that instrument was made by the States acting as States; that it was made by States, which, at the time of making it, had all the powers of sovereignty in them; that it is a compact between those States. If I can establish that proposition, then, I say, I can establish as a logical sequence the right of each State, when that compact is violated, to declare it at an end.

How did this Government originate? It was not eternal, nor was there a time when it had no existence. How, then, did it originate? The thirteen States who were the parties entering into that compact, or, as the gentlemen would have it, whose *people* entered into it, had not always been States. But a few years prior to that time they were British colonies. As such they had an existence separate and distinct from each other, and each of them was united to the British crown by the tie of allegiance. On the 4th of July, 1776, those Colonies, alleging that the British crown had violated their rights, severed that tie, dissolved that political union, and declared that they were, and of right ought to be, free and independent States. They declared, further, that, as free and independent States, they had the power to declare war, to make peace, to contract alliances, to establish commerce, and to do any other and all other acts that free and independent States may of right do. By this declaration they assumed to themselves the right to exercise all the powers of sovereignty, as free, independent States; and they maintained that assumption by force of arms. In 1777, about one year after that declaration, these thirteen then existing States entered into a compact with each other by which they formed, as they declare on the face of that compact, a league of friendship, and they declared their object in entering into that compact, to be for their mutual defense and general welfare. To carry out that object they created by that compact—(I allude to the old Articles of Confederation) — a common agent to carry out these common ends. That agent was called a Congress; and they *delegated*—mark, did not give, nor cede, nor grant; there is a world of difference between the terms—I say they delegated to that general agent the powers that they deemed necessary to enable it to attain the end of its creation, which was a common defense against a common enemy—the British crown—then the mightiest empire in the civilized world. By the fifth article of that compact, it was stipulated that in this Congress each State, without regard to size or population, should have one vote. By the second article of that compact, it was stipulated that each State should retain its sovereignty, and all the powers not delegated to this common agent. Now, gentlemen, this league, this confederacy between the sovereign independent States, continued until 1787, a period of ten years, and during that time experience demonstrated that this common agent had not the powers necessary to attain the end of its creation, and that agent itself passed an act in the spring of 1787, by which it called upon the States which had created it to send delegates to a Convention for the purpose of remedying defects in that compact. The States responded to that call. Each in its own way selected its own delegates. Some acted through State Conventions, and some through their Legislature, and some through their Executive. These agents or delegates assembled in Convention, in September, 1787, and the result of their deliberations and labors, was, the Constitution of the United States. The Convention framed that instrument, but its vitality and binding force it received not from the Convention. Why look at the very terms of the instrument itself. The seventh and last clause provides that when it is ratified by any nine of the States, it shall be a Constitution for the States so ratifying it. From this it is evident that it was to have no force, no binding effect, until an event should happen in the future, which might never have happened, to wit: its ratification by nine States. That being so, then what was the office of this Convention? It was neither more nor less than that of a scrivener. When it had drawn the instrument, it had discharged its whole duty—exhausted its whole power. When was the instrument ratified? If you can ascertain that—for by the instrument itself, it was to be referred to the States for ratification, and to have no force until nine of them had ratified it, and then it was to have force only between those nine that had ratified it—I say if you can ascertain that, then you can ascertain the time when it received its vitality as a binding instrument.

Look for a moment at the history of that period. You will find that three States ratified it in the fall of the same year; that six States ratified it in the early part of the next year, which was 1788, and that in the month of June, 1788, New Hampshire, the ninth State ratified it. Then, and not until then, was it a constitution—then, and not until then, had it any life or any vitality, or any binding force or effect as a legal instrument. Now, from whence did it receive that vitality? Did it receive it from the Convention? If it did, why, then, it would have been a constitution at the very moment it came from its hand. But by its very terms it was to have no force until ratified by the States. Then, I say, the proposition is clearly and unquestionably established, that its vitality was imparted by that ratification; and if eight States had ratified it and five had refused to ratify it, it would have had no vitality to this day. From 1788 to 1790, at various periods, the remaining four states, by a like ratification, became parties to the compact—became members of the Union.—Rhode Island, which was the last State that ratified it, did not do so until 1790. Now, I ask you, where were these four States *before* they came into the Union?— They were not under the old Articles of Confederation, because they had been abandoned. They were not under this Constitution, because they had not ratified it, and by its terms it was to bind only those that did ratify it. Where were they, then? *They were standing out as sovereign and independent States, with all the powers of sovereignty that Russia has to-day.*

Now, gentlemen, I ask you whether I have not established the proposition that that instrument was made by the States, and not by the people of the United States, acting as one community? If you need any further evidence, look at the instrument itself. How can you amend it? If every man, woman and child in the United States were assembled together in one mass, and were unanimous in desiring a change, they could not change a single clause of that instrument. If your National Convention assembles, it cannot change a single clause in that instrument. Then how can it be changed? There is but one way it can be changed, and that is by the consent of those who made it—videlicit: the States. It is true that there are two ways in which the proposition of change may be made—there are two sources from which a proposition to amend can come—but there is only one source that can give those amendments life and vitality, and that is the separate action of the States, each acting as they acted in the beginning—as sovereign and independent States.

You have one mode of changing that instrument before you for consideration—a National Convention. What can that Convention do in the way of making a change in the Constitution? It can propose amendments. That is all it can do. It can do what this original Convention did in 1787; it can act as a scrivener in drafting an instrument, but it can give it no life. When the amendments are agreed upon by that Convention they are to be laid before the States, each acting separately for itself, and each ratifying or rejecting that amendment; and if three-fourths of them thus acting ratify the amendment proposed, then, and not until then, does it become a part of the Constitution. If any less than three-fourths ratify it—if any more than one-fourth reject it—then it falls dead. From this it is evident that, whatever amendments be proposed, they must receive vitality from separate State action, or they will receive their death-blow from the same source. Gentlemen tell me that the Constitution was made by the people of the United States as *one* community. Such a proposition, although it is recited on the face of that instrument, falsifies all history—*it* falsifies the instrument itself. It is not true.

I have referred you to one way of proposing amendments. There is yet another way, which is provided by the Constitution itself. It is the action of Congress.. Congress may by a majority vote of two-thirds propose amendments. They have been trying to do it all the last session. Mr. Crittenden laid before it his amendment. Judge Douglas laid before it his amendment. The Border State proposition was laid before it, and so was the report of the Committee of Thirty-three. But it refused to refer any of them to the States. It *could* have so referred them. Congress can propose to the States any amendment it sees fit; but its power stops there. *Congress* can only act as a scrivener—write out the amendments—that is all it can do. They are laid before the States, each State acting for itself through its own body—its Convention, assembled as this—and from the action of those States those amendments, whether proposed by Congress or by the National Convention, receive life or death.

Now, gentlemen, if this be true, what is the natural sequence? I tell you it is this: while I admit that there is no common tribunal to whom States can appeal when they differ about compacts or anything else; while there is *no common* tribunal lower than he who is the Judge and Ruler of nations, yet there is a *law* that governs nations. There is a law by which sovereign States may ascertain their rights and their remedies, although there is no tribunal to enforce those rights or enforce those remedies. What is that law? It is a law that has its foundations laid broad and deep in the principles of eternal justice. It is a law that has received the universal assent of all civilized nations on the globe, and it is called the law of nations. Now, what is that law as applied to compacts between sovereign States? What are the rights of the parties? what are the powers of the parties? what are their remedies under that law? By that law, when independent sovereign States enter into a compact with each other, they are bound to keep that compact; they are bound to perform its terms and its stipulations in good faith. That law, when the compact is violated, recognizes in the injured party the right and power to resort to two remedies. What are they? It enables the injured party to say to the wrong-doer: you cannot by your wrong annul your compact. I will hold you to its performance, and I will demand of you indemnity for its violation. That is one remedy. Another remedy is this: the innocent party has the right to say to the wrong-doer: having violated the compact that you entered into, I declare that compact at an end. By your wrong you have given me the power to annul the compact and discharge myself from its obligations. That is the law of nations, as applied to the compacts entered into between sovereign and independent States.

Now, under that law, no State in this Union can declare its compact at an end without cause. If it does, it is itself the wrong doer, and violates that compact, and upon that contingency I admit the doctrine of coercion, because military power is the only tribunal to whom nations can appeal in the assertion of their rights, and if the States of the South have violated that compact, and the States of the North have kept it in good faith, then I say the States of the South, by the law of nations, are wrong, and the States of the North have the right to coerce them and compel them to discharge the obligations imposed by that compact; but, if the States of the North have violated that compact, if they have disregarded its provisions and trampled it under foot; then I say the right of the Southern States, as the injured States, is equally clear to declare that compact at an end, and no longer binding upon them, and the right to resort to force to compel them to submit to wrong and oppression, does not and can not exist by that or any other law.

Have the Northern States kept that compact—have they done it? They have their champions here on this floor—men of national renown as statesmen and jurists—I ask them, have they kept that compact? Let them answer that to the satisfaction of this Convention and the satisfaction of the people of Missouri, before they undertake to denounce Southern men as traitors. What are the provisions of that compact? By the second clause of the second section of the fourth article of that compact, these States covenanted that when a man was indicted in one State for treason or felony or any other crime, and escaped into the limits of another, upon demands being made by the Executive of the State from which he fled, the State holding him shall surrender him for trial. What was the object of that covenant? What was the object of the Constitution? Look at its objects as expressed upon its face. One of them is to establish justice. Here is the provision to carry out that object. Have they kept that compact? No, they have violated it—trampled it under foot again and again; for years they have done it. Ah, and worse than all; worse, tenfold worse than the act, they have *justified* it. They have announced the startling proposition that slave stealing is no crime. They have based that upon two propositions equally startling, that strike at the very foundation of the slave institutions of their sister States in that compact. They say that nothing but *property* is the subject of larceny. Well, that every man knows. That every lawyer knows. What is the next proposition? *Man cannot hold property in man.* What is the logical sequence? Why is it that slave stealing is no crime? You cannot *steal* a slave. Why? A slave is a *man*—there can be no property in man.

Now, gentlemen, I am not talking about the propositions enunciated by a few fanatics. I am not doing, as has been done from this stand, by gentlemen who have tried the South, not by her acts, but by the propositions enunciated by a few of her ultra men, such as Yancey and others—I am not trying these Northern States by that rule. If I did, I could convict them of every crime in the catalogue. No, I will not do so, because it is not just and fair; and while I have as little love for the anti-slavery party that has controlled the action of these Northern States, as any man can have, I have a love for justice that will prevent me from resorting to any sort of demagogism. Then, I say, this has not been done by a few ultra Northern men, it has been the deliberate act of Northern States, speaking through their own chosen authorities.

I will say here, in passing, that I have no complaint to make of the invasion of Virginia by John Brown. The Northern States are not chargeable with it. It is not right that they should be held accountable for it, unless they knew it beforehand, and failed to arrest him in his design. Therefore I have said nothing about him. But in regard to this subject, it is stated in the majority report that when a few mad men invaded the soil of a Southern State, and spilled the blood of Southern men, they were hanged, and that was the end of it. Now that, in my judgment, is not the voice of history. It is true that John Brown was hung. It is true many of his confederates were hung; but was that the end of it? No, they were canonized as martyrs to liberty and justice. Was that the end of it? No! for two of them escaped, one to the State of Ohio, the other to our sister State of Iowa. They were demanded by the Governor of Virginia, but those States violated their compact by refusing to deliver them up for trial. *That* was the end of it.

Now, by the third clause of the second section of the 4th article of the compact, the States agreed with each other that when a man bound to render service in one State escaped into another, first, that he should not be discharged from service by the law of that other State; secondly, that that State should deliver him up. This was a compact not between the North and the South, because they were then all slave States except one, and she (Massachussetts) held slaves within her limits. But it was emphatically a compact between all the States—a compact by which Missouri is bound as much as Illinois. For if a fugitive slave escapes from Kentucky into Missouri, Missouri is bound first not to attempt to set him free by her laws, and secondly, to deliver him up to his master. Now, have they complied with that compact? Here is something that they agree to do, and something that they agree not to do. The thing they agree to do is, that they will deliver him up. The thing they agree not to do is, that they will not attempt to set him free by their laws. I say they have violated that compact in both its branches. They have done it willfully, deliberately and repeatedly.

How have they done it? They covenanted that they would deliver him up. Did they make any law to carry that covenant into effect? Where is the State that made it? No, they violated that covenant. They neglected to do that which they covenanted they would do. How about the other branch? They covenanted they would not attempt to free him by their law. Have they not done it? Have they not passed their personal liberty bills, with the avowed object of making that slave free? They have. Aye, and they have gone further than that. Some of them have imposed heavy penalties upon the master, for daring to assert his constitutional rights to the possession of his slave within their limits. Now, if these States had lived up to their compact—if they had passed no law to set that slave free—if they had passed laws to secure his delivery to his master—there would have been no necessity for Congress to legislate upon the subject at all. But they violated that compact, and Congress, the common agent of all, that was created for the purpose of establishing justice, interposed and enacted the fugitive slave law. How did the Northern States treat that law? Did they respect it? Did they obey it? No. They treated it as they had treated the Constitution—they trampled it under foot—they nullified it, again and again, by deliberate State legislation; and they have done all this against the earnest entreaty of their sister States. They have done it against the repeated remonstrances of a united South.

Again, gentlemen, the South has ever held that every citizen of the United States, without regard to where he was born or reared, has a right to go into any territory opened for settlement and take with him the members of his family and his property; that the Constitution of his country, that palladium of his rights, extends over him in that territory and protects him in his family and his property. I say that has ever been held by the South to be the doctrine of the Constitution—and it has been so held by the Supreme Court of the United States. I ask you, is it not right? There are members here of a party who have ever disputed that proposition. I ask them to throw aside if they can, the shackles of party prejudice, and pass upon that proposition, and tell me whether it is not right and just. Now, the North denied it. The Northern States, controlled by a feeling of anti-slavery and hostility to the slave institution, say to Southern men, you may go to the Territories, but you must leave behind members of your family—those who were born in your household—those to whom you have become attached next to your wife and your children—you must leave them behind. More than that—they have said, if you dare to take them, we will, by Congressional legislation, take them away. We will sever your family ties, and take from you your property, and make you no compensation. Is that right—is it just?

Now, a gentleman on this floor has said, have you any complaints to make against the General Government? Has the General Government ever violated the rights of the South? I say, yes, she has. Look at your Oregon bill. What do you find there? You find a clause excluding Southern men from that Territory, unless they leave behind them their slaves; or, if they take them there, the law takes them away. Then, I say, the General Government *did* violate that right in the passage of the Oregon bill. It also violated that right in the passage of the Missouri Compromise bill. But I do not complain of the General Government on that ground. And why? Because Southern men, for the sake of peace and the Union that they love, consented to surrender a portion of their rights, thinking that, with that surrender they would appease this moloch of anti-slavery. But what is the condition of things now? How do we now stand? How *did* we stand when these States went out? A President was nominated upon principles that were destructive to the institutions of the South; a President was nominated who had enunciated the destructive error that our Government, as our fathers made it, partly slave and partly free, could not so continue to exist—that in that condition it was a house divided against itself, and must fall. It is true he said: "I do not anticipate that the house *will* fall—but the cause of division will be removed." Well, how removed? He tells you, "an irrepressible conflict is going on between freedom and slavery." He did not enunciate the exact truth there. It is a truth, but not the whole truth. He should have said that freedom, or this anti-slavery party, is waging an "irrepressible conflict" upon the slave institution of the South. If he had said that, he would have said the whole truth. But he *tells* you that *that* conflict cannot stop—that it must continue until slavery is in a process of extinction. That is how this cause of difficulty is to be removed. The Northern States indorsed these doctrines and purposes by large majorities. Well, now, how is slavery to be extinguished? Gentlemen, while I do not admire the principles of this party, I must say this for them, I *do* admire their sagacity; I do admire the ability of the men who stand at the head of that party. If wisdom exists in adapting means to ends, then they are wise men and sages. Let us look at their plan. Their object is the extinction of slavery everywhere, or the establishment of the proposition that man cannot hold property in man. How is it to be done? We have fifteen slave States and eighteen free States. We have territory enough for fifty more States. We are opening our Territories to the settlement of a foreign population, and that population is anti-slavery. Now, tell me, if you confine slavery to the limits of fifteen States; if this immense territory, extending across to the Pacific, is to be peopled and brought into the Union as States, and with a foreign emigration enough to people a State every year; how long would it be before the free States would have a majority of three-fourths of the States in the Confederacy? It would occur in the next thirty years as certainly as the sun will rise to-morrow. When it does occur, what is the result? Now, I will do this anti-slavery party the justice to say, that I have no doubt they are honest. I have no doubt they are acting up to the convictions of their own minds as to the duty that they owe to themselves and to their God. I judge men by their acts, and not by what they say. What is the leading principle of that party? It is this:—that slavery is a social, moral and political evil. What is the corollary of this proposition? *It is this;—that it is our duty to* get rid of that evil wherever we can reach it—hence we will abolish it in the Territories—hence we will abolish it in the District of Columbia—hence we will interfere with the inter-slave trade: contending, as they do, that under the Constitution they have the power to do this. But they do not propose, for the present, to interfere with it in the States, because they admit that the Constitution guards and guarantees it there. It is true, there is one element of that party I do not charge its acts upon the party, and they (are not responsible for it,) that takes even a broader position, namely, that slavery is an evil of a character that no law can guard, no constitution can sanctify; and that there is a higher law that nulifies that Constitution, and hence that element is for abolishing it in the States now. But, as I said before, I do not regard that to be the position of the Republican party.

I honestly believe while the Constitution continues as it is, that the Republican party would not attempt by Federal legislation to abolish slavery in the States, for I believe that they are honest, but their principles would in the course of time necessarily lead them to that consummation. When thirty years have rolled on—when State after State has been brought into this Union, until the free States have the requisite majority of three-fourths—what will they do then? Then, for the first time in their history, the anti-slavery party controling those States, will have power, under the Constitution to abolish slavery in the States. Having the power, the moral responsibility, according to their views of slavery, rests upon them to do it, and as they are *honest* men, they will do it And if that doctrine was established—I mean the doctrine of exclusion of slavery from the Territories—then the handwriting is upon the wall that announces the destruction of slavery, as certainly as it announced the destruction of Belshazzar.

Now, in such a condition of things, our Southern brethren seeing that this Constitution had been violated—that it had been trampled under foot time and again—that a system of policy had been established that would inevitably result in the overthrow of their institutions, and that the time was rapidly approaching when that system of policy would be carried out—severed the tie that bound them to the Union, and under the law of nations declared the compact at an end, and took their fate into their own hands, as did the sires of 1776. While I admit that they had cause, yet I do not approve of the act. While I admit the right, I do not approve its exercise. I believe it was hasty and unwise that a portion of these fifteen States, those who seceded, having homogeneous institutions with the Border Statet—having the same constitutional rights to protect, ought, in good faith to have staid in the Union, and co-operated with us in endeavoring to settle the sectional issues upon some basis that would have secured our slave institutions and constitutional rights. That is what, in my judgment, they ought to have done. They have not done it. They had a right to judge for themselves.—But while I must condemn that act as hasty and unwise, I must say that they are not traitors, unless our sires in 1776 deserve that name.

The States in the compact between them delegated certain specified powers enumerated in that instrument to the General Government created by them. There are certain other powers, such as to coin money, the enactment of an ex-post facto law, or a law impairing the obligation of contracts, &c., the exercise of which is prohibited by that instrument to the States, and for fear that the Government they had created would usurp powers not delegated, a clause was inserted that all powers not delegated (a word that implies the power to take back) to the General Government by the Constitution, and not prohibited by it to the States, are reserved to the States or the people. The power recognized by the law of nations to be in every sovereign State to declare any compact entered into by it with other States at an end when violated by the other parties to the compact not being one of the powers delegated to the General Government, nor one of the powers prohibited to the States, stands like the power to legislate on the subject of contracts, the descent of property, or the social relations of husband and wife, parent and child, guardian and ward, master and servant, as one of the powers expressly reserved to the States, and may lawfully be exercised when the occasion arises, without incurring the odium of treason.

Now, gentlemen, while I differ with the first resolution in this majority report, I would be willing to assent to it if the word "motive" was substituted for the word "cause." Can it be there is no cause, notwithstanding these repeated violations of the Constitution, notwithstanding the fact that our institutions are in danger—can it be that there is no cause for exercising the right of secession? I certainly admit the right, and that cause exists for its exercise; but I oppose its exercise, and I shall continue to oppose its exercise, so long as there is a hope of obtaining our rights in the Union. I oppose its exercise, not because I deny the right itself, but because I love the Union. I love it because our fathers made it. I love it because we have enjoyed under it unexampled prosperity. I love it because of the glorious memories that cluster around it; and it is my love for the Union, and no other motive, that makes me oppose secession, or revolution, and actuated by the same motive, I shall continue to oppose it so long as there is a hope of amicable settlement. But if the time should unfortunately come—God forbid that it should—when all hope is lost—when Missouri is driven to one of two alternatives, either to submit to the aggressions of this sectional party, and surrender her slave institutions at its bidding, or go out of the Union—I shall then, notwithstanding the committee organized upon this subject by this body, introduce upon this floor an ordinance of secession. The action of no such committees, and the threats of no party, have any terrors for me. But I never will do it until then. I believe that this Union, and our institutions in the Union, can be saved; for though the political firmament is covered by a dark and portentous cloud, within whose lurid bosom slumbers the whirlwind of desolation and civil strife, yet there are breaks in that cloud, through which we can see the glimmering of the sunlight of peace. But if the time arrives when these breaks shall close, and that cloud present but one aspect, and is ready to burst over our heads, and the border slave States shall have gone out, then my voice shall be raised for Missouri's standing up for her rights out of the Union—aye, unto the last dollar and to the last man.

I am opposed to this amendment. With one alteration I could give it my hearty assent. If it is taken to mean Missouri while she remains in the Union will not aid a seceding State to make war upon the General Government, I give it my hearty assent, for Missouri will not do that—Missouri is for peace. But if it means that Missouri in *no* time to come, no matter what changes may occur, will not aid a seceding State in making war upon the General Government. I cannot give it my assent, because Missouri may be a seceding State herself. I hope she never will be. God forbid that she should! But she may be, and if this difficulty be not settled upon some basis that will guarantee her institutions, she will be. With one change, namely, that Missouri will not aid a seceding State, *while she is in the Union,* I will give it my assent; but if she is driven out, and war is made upon her, and upon the other States, she *will* and *must* be prepared to resist the General Government.

Mr. Gantt. Mr. President, in entering upon this discussion, I shall first address myself to the proposition discussed by the gentleman who last engaged the attention of the house. He set out to prove that secession was a right that could be exercised without a violation of the Constitution, and then went on to show that while he contended for the right, he considered the action of our Southern sisters hasty and ill-judged, and would not recommend Missouri to follow their example. But in order that this might be one of the steps Missouri might take hereafter without guilt, and in order that she might understand distinctly what her rights were, he labored to show that *it was a right,* and might constitutionally be exercised. I have seldom, Mr. President, listened to an argument as to the nature of the Constitution which was so decidedly in the teeth of the canon against self-slaughter. He refers to the fact that the Constitution was ratified by the States, and that, until ratified by the States, it was not binding upon any of them—nay, that until it was ratified by nine States it was not binding upon the eight which had previously ratified it; he refers to that fact to show that it was nothing but a compact between the States, and that the framers of it commenced their work with a lie in their mouths. He admitted that the preamble used the words: "We, the people of the United States," &c., "in order to form a more perfect union"—a union more intimate and perfect than had been effected by the Articles of Confederation—but he said that the persons who thus sat in convention were *delegated* by the States, and that they merely had the office of *"scriveners,"* and that the instrument which was the work of their hands was nothing more than *proposition* until ratified by the States in their sovereign capacity. He committed the great mistake, as I conceive, of imagining that the Union of these States, and the Federal Government, which is the result of it, is nothing more than the confederacy which it replaced, or a compact between sovereign States, which may be dissolved at the pleasure of any one of them, and it is to that proposition that I shall proceed to address myself.

I say that in the course of his argument he was forced, in the first place, to admit that the recital of this Constitution declared that it was the work of the people of the States, and that they were welded together into a consolidated government by its terms. He went on to say *that because the instrument which* declares *this* thing had no validity until it was ratified by the States in their separate and sovereign capacities, therefore—and it was a monstrous *non sequitur*—therefore the instrument, being so ratified, operated not according to its tenor, but according to the idea which he had, I wont say the effrontery, but the hardihood to announce. Why, sir, does not every lawyer—and the gentleman is an able one, an ornament to the bar, and administrator of the laws on the bench—know that when an act of an agent is ratified by the superior authority, that ratification has relation to the inception of the instrument, and makes it good from the beginning, and that, when the act of an agent is thus ratified, it is ratified according to the terms and tenor of the act itself? How otherwise can it be? Would it not be the grossest contradiction in terms, to say that an instrument which is a certain declaration, or which declares that there is a surrender by States previously sovereign of certain of their sovereign attributes; that these are for wise and patriotic purposes, vested in a central government, which is to administer them for the *common good,* and *to save* the country from those evils which have resulted from the imperfect Union which this perfect and perpetual Union was designed to replace—I say it is not a contradiction of terms, to say that when this solemn act is thus ratified by the competent parties, it is not to be as a ratification of the instrument upon its face, but the ratification of something entirely different? In the name of common sense, what does ratification mean? These States have the power to say whether this should or should not be the expression of their will. They declared that it was, and by virtue of that very sovereignty which he invokes, they had power to make good all that the preamble and the various sections of the Constitution declare; and one of those declarations is, that it is the act of the people, and makes us one people.

Mr. Redd. Is it not to be looked upon rather as an estoppel?

Mr. Gantt. No, sir; it is not an estoppel, but a direct grant. Estoppels are odious. There is no occasion to invoke them, except when other rules of interpretation fail. Well, then, this being the plain import of the instrument, this reference to the simple meaning and working of the ratification, sufficiently disposes of the argument of the learned gentleman upon that subject. It is plain that this instrument is what it professes to be—that it makes us one people for the purpose of a General Government, though for the purposes of State governments we are thirty-four.

It has seemed to me, when the learned gentleman was arguing the right of secession, and when he made *that* dependent upon the supposed existence of a confederacy of *States*, or between sovereign States, and not upon one Central Government formed by the surrender of some of those sovereign attributes which were enjoyed by the States before this Central Government was formed,—it has seemed to me that he was wasting a good deal of time and trouble, unless he intended to say that this right so strongly contended for was one the exercise of which was essential at the present time. However, after he had, to his own satisfaction, (but I think by the aid only of a fallacy which has been sufficiently exposed,) maintained that this right existed, he went on to declare that its exercise would be unwise, and he proceeded further to say that the North had been guilty of great aggressions upon the South.

Well, here my friend and I are not so far apart as might at first sight appear. He is very much mistaken if he fancies that I stand here as the apologist of the Republican party. I am a Democrat of the straitest sect, and have nothing in common with the peculiar views of that party. There have been aggressions beyond number, and a spirit of meddlesomeness, a spirit, so to say, of Phariseeism, has been displayed by portions of that party, in their conduct towards the South, which is intolerable to me as a Southern man, and it will not be endured. But, on the other hand, there have been acts committed on the part of the South, which are unfortunately almost as objectionable, perhaps quite as much so, as the provocation to which they owe their rise. The action of the North, upon the subject of slavery, has been, in my judgment, aggressive in the first instance; the acting of the South has been retaliatory, but it has gone bepond the limits of a just defense. But I am coming to that subject again, and merely wish to put myself right on this point, for when I speak of the offenses of which the North has been guilty, I am disposed to echo a good deal of what the gentleman has said.

I will not stop to consider what he said respecting the law of nations, as applicable to the Southern States, because I have shown that there was no such compact as he contends for. I have shown that there is an entirely different relation existing between the members of this Union, from that which exists by virtue of a compact between sovereign States.

The gentleman has said that if the South had seceded without cause, then the North has a right to coerce her, and not otherwise. Now, having shown that this Government is not a compact—that this Union is not a Confederacy, that it is something which has replaced the Confederacy, and which made it for all the purposes enumerated in its preamble an entirely different thing—I have disposed, I apprehend, of that *sacred* right of secession. But did not the gentleman see, when he admitted that *if* the Southern States have seceded without cause, the States of the North have the right to coerce them; that he was opening a door as wide to civil war as the bloodiest advocate of what is sometimes called coercion could passibly have done? Who is to be the judge of "good cause?" Is it to be the South? Is it to be the North? If there are so many independent States on one side, and so many on the other, differing in respect to that "good cause," and there is no common arbiter, what shall decide between them but the sword?

Sir, the position of those with whom I have the pleasure of acting here, is far more satisfactory, and looks to a pacific and complete solution of this troubled question, without a reference to that bloody arbitrament. We think that the General Government, whose laws, made in accordance with the Constitution, are the supreme laws of the land, is for all the purposes of a satisfactory settlement in contests between the various States, the arbiter whose fiat will not only be decisive but peaceful. But to that matter I shall come a little further on.

The gentleman next proceeded with an enumeration of the grievances of which the South had to complain at the hands of the North. He spoke of the second clause of the second section of the *fourth* article of the Constitution, respecting the surrender of fugitives from justice, and claimed, as I understood him, that whereas this was a binding right—and this I have no inclination whatever to deny—and the North had in repeated instances refused to comply with its constitutional obligations, the South had never done anything of the kind. Now, it did so happen that during the past winter I heard a discussion upon that very point, and, fortunately for me, for it saved me a little trouble. One of those who were engaged in that discussion, in showing that the fault was not *entirely* on one side—as in what human controversy is it?—showed that amongst the earliest violations of the letter, at least, of that provision, of the Constitution was a case occurring in Virginia. Now, I say, that no matter in what State, when or where, the violation occurs, if it does occur it is to be condemned.—I am satisfied that not one of this Convention hears me who does not echo this sentiment. The rights which that Constitution guaranties must be not only sacredly but punctiliously observed, if there is to be a continuance of that spirit of fraternal amity, without which our Union may indeed exist, but can never answer the purposes for which it was designed. So that it matters not to me whether Virginia or any other of the Southern States, or the Northern States have violated that provision. The fact only shows a diseased state of public morality, which must be cured on pain of death.

In my judgment a greater number of violations of that sort have occurred upon the part of our Northern brethren. Whenever the subject of negro slavery has been the bone of contention, and a demand has been made upon a Northern Executive for the rendition of a fugitive from justice in which that fugitive was charged with some offense which derived its felonious character from the relation between master and slave, there has been in my judgment a failure to comply with the spirit of the Constitution upon that subject. For that, I say, I condemn the North. I call their attention to that violation, and I say that that wrong must be redressed, or worse will come of it. But what then? Is that a cause for secession? I have just shown that the right of secession does not exist. But if the right did exist, I will say, is that a cause for secession? Could reason impel us to take that remedy for such a disease, a remedy which would aggravate tenfold the malady of which we make complaint? What compact, I pray you, was ever made—what Constitution—what code of laws has ever been made amongst mankind, and remained in force for twelve months without receiving some violation? Are we to throw away this fabric of government—are we to cast aside the blessings of which it is the minister, because there are bad men who need to be punished by the laws for which that Constitution makes provision.

The learned gentleman said further, that the South has been tried by the sentiments of Yancey and other extremists, and that this is not fair. It is not fair—he is right in saying so. It is not right to try the South by the sentiments of such men as Yancey, and Rhett, and Miles, and many others whom I might name. I take it they are in a very small minority in the South. But on the other hand, is it fair to try the Republicans either by anything but their platform? The learned gentleman has referred to the sentiments which have been expressed by what he called an element of that party, meaning, I suppose, the Abolitionists, of whom Phillips, Garrison, and Tappan are the exponents. Now, I recognize a distinction between the Republicans and the Abolitionists. I am glad to recognize that distinction, for if I supposed that the Republican party were animated by the same sentiments which those Abolitionists hold, I would be compelled to the conclusion that a large majority of the people of the North were in league with some of the worst men of the South, to put into actual practice this pestilent doctrine of secession, and overthrow, beyond remedy, all that makes us a nation. Those men, then, to whom he makes reference, are not to be taken as the exponents of the Republican party. We must look to the platform of that party; the platform upon which Mr. Lincoln was nominated; and I think we should also, in common fairness, look at the votes of the same party in Congress during the last session. It will be altogether a departure from the common rules by which reasonable men are guided, to try any party by the windy rhetoric or uncharitable speeches that fall from the lips of sensation orators, who, seeing their opponents applauded amongst a crowd for a sentiment which is all in one extreme, must needs outdo their rival in the other extreme, in order to gain the popular favor. It will not do to try a large party by the utterance of any such men, to say nothing of the fact that no one yet ever knew the *ins* and the *outs* to speak with the same caution. The *outs* are aggressive and bold; they have no responsibility upon them; but the *ins*, or those that get into office, feel the responsibility of their words—they must live up to the sentiments which they profess—and they are therefore careful not to say anything which they cannot maintain. Such, too, has been the conduct of the Republican party. My friend was just enough to that party —for whom certainly I do not intend to be the apologist—to say that he believed them, as they now stood organized, to be sincere in their intention, indicated in one of the articles of their platform that they would not interfere with slavery in the States in which it existed by virtue of the municipal law.

He then proceeded to refer to the affair of John Brown. There, again, I found there was no difference of opinion between him and me. That act was viewed by me with the same abhorrence which I imagine it has excited in the minds of all right-minded men of the North and the South. That a number of persons who seemed to be utterly regardless of their duties as citizens—utterly reckless as to evil consequences of the most demoralizing sentiments, did speak of that old villain as if he were a saint and a martyr, is but too true, and I have no kind of doubt that the exasperating effect of such language as that has led, in a material manner, to the fomenting of the present troubles. Undoubtedly, no unjust or false word is said by any party, no injustice or wrong is done by any party, without bringing its bitter fruits—perhaps upon them alone, perhaps upon those who are innocent, and suffer with the guilty by a common fate. So that, upon that subject, there will not be much in the sentiments of my friend to which I am disposed to take issue.

He passed on to the third section of the fourth article, and said that this section had been systematically violated by the North. Well, it is too true that it has been violated in a most nefarious manner; and if I did not believe that a returning sense of justice, that a condition of being appalled at the fearful consequences of their wickedness, was now seizing upon the minds of the North, I should do what I have never yet been able to do—*despair* of the Republic. But I say that now they have been brought face to face with the consequences, that now their most solid men have taken it upon themselves to examine and condemn the unconstitutional acts of their Legislatures, and that a sentence of condemnation has gone forth throughout the land—I refer you particularly to that which has issued from the city of Boston, in which such men as Ex-Gov. Gov. Clifford, and the Ex-Chief Justice Shaw declared, in the most solemn manner, that the personal liberty bill of Massachusetts could not remain upon the statute books without a violation of the oath which every member of the Massachusetts Assembly took to preserve the Constitution of the United States. Do we not see the fruits? In how many Northern States, for the last six months, have not those Personal Liberty bills either been repealed or so far advanced to repeal, that their end is easy to see? Does that give no comfort to my friend? Does he not see in that a peaceable, orderly redress of a wrong—a returning sense of justice on the part of those who have in a moment of madness inflicted that wrong?

Mr. **Redd.** I do, sir.

Mr. **Gantt.** I am glad that he agrees with me on that point, also. I think, then, that I may properly pass to another breach of the subject, for it is conceded that, although this is a wrong and a source of irritation, and a very great one, yet it furnishes no cause for the secession of which the Southern States have given us an example.

The gentleman said that many of the States of the North had passed personal liberty bills with the avowed object of making slaves free. Now, I think he is wrong in that. I have looked into those statutes, and in no instance have I ever seen that purpose avowed. The gentleman will correct me, if mistaken in this statement. If he can furnish the name of the State, or the date of any statute in which such purpose is declared, I now ask him to inform me.

Mr. **Redd.** I do not recollect the date. When I spoke I alluded particularly to the statute of Maine, which not only declared the slave free, but provided a law whereby the master was punished *as a felon for attempting to reclaim him*. I think it was passed in 1858, but I am not certain.

Mr. **Gantt.** I think my friend is mistaken. I think the style of the act indicates the purpose which was declared on its face. The *avowed* object was to protect their citizens against being kidnapped; but that, in my judgment, does not make the mater a great deal better, for I am quite satisfied in my mind that by reason of that avowal they only added the sin of hypocrisy to that of violating the Constitution. I am quite satisfied that it was the purpose of the framers of the laws to enable bad men to put in the way of the master who came to reclaim his slave every possible obstacle; to make it an expensive and dangerous business to him, and, in short, to make any one who was not most resolute, come to the conclusion that he had a great deal better acquiesce in the loss of, than attempt to recover, his property. I say that I will use the strongest language of which I am master in condemning such legislation—in denouncing such a spirit, and in declaring that if this Union is to be what it was in times past, that legislation and that conduct must cease. As to the particular statute of Maine, that can only be determined by reference to the statute book, and both my friend and myself are too much of lawyers, and too partial to the habits of accuracy, which the practice of our profession encourages, to be willing to discuss the import of an act without having the written letter before us. I will then say nothing more upon this subject until I have had an opportunity of examining that book.

The gentleman next passed on to say that the South has been excluded from the Territories. I asked myself when I heard that remark, "from which of them?" I know that in the Territories which have been most recently organized, no such exclusion has been found, and I really did not think that the Oregon bill was opposed by the votes of Southern men. David R. Atchison is supposed to be rather sound upon this particular subject. Mr. Green is supposed to be sound, upon *this* point at least; and it was such men as those in the two houses of Congress who voted for that bill, and Jas. K. Polk of Tennessee, approved it. This bill was adduced by my friend as one measure of which the South had to complain; and after having done so, he said he did not complain of it because Southern men acquiesced in it. Then why enumerate it?

He also spoke of the Missouri compromise bill. That, too, was passed by Southern votes. And here let me say that one of the most serious misfortunes that ever happened the South was that they could get Northern votes enough to co-operate with them in sweeping away that compromise, thereby violating that sound rule of statesmanship, which warns us *quieta non movere*, that tells us that the true plan is not to disturb a settlement which has answered its purpose and been acquiesced in for a long time.

In all the territories which have been recently organized, we look in vain to see any of this exclusion of which the gentleman speaks; and if he means what the popular orators of the party have said upon the hustings, I must answer that I pay no more regard to the sentences of exclusion proceeding from such sources than I would to the whistlings of the idle wind.

Mr. **Redd.** I think the gentleman misapprehends me. I did not enumerate those acts as grievances. I said the question had been asked, and the proposition laid down on this floor, that the General Government had *never* violated the

Constitution, but that in that proposition I could not acquiesce.

Mr. Gantt. Do you refer to the report?

Mr. Redd. No, sir, to the argument of speakers on this floor. I take the position that those bills *did* militate against the interests of the South, but that the South does not complain of them, because she acquiesced in them.

Mr. Gantt. I do not think it was said on this floor that the General Government had *never* violated the Constitution upon this subject. But it *was* said, and I think the assertion can be very well maintained, that the General Government has *never*, upon the subject, discriminated unconstitutionally against the rights of the South. If it passed the Missouri Compromise, at whose instance was it passed? If it passed the Oregon bill, who asked for the passage of that bill and acquiesced in its passage? Will it be fair that a man, or community, or party, or section, shall first ask for the particular action of any body else, and then complain of that action? Certainly not. I think then, that part of the gentleman's argument is sufficiently answered.

But it was said that the natural consequence of the organization of the Territories and the exclusion of slaves therefrom, as contemplated by the Republican party, would be that at the end of thirty years the Northern States would have such a majority that they could alter the Constitution at their pleasure, and that they would use the power thus acquired for the overthrow of the peculiar institution of the South. So far the gentleman went in his statement. I did not directly understand, however, the conclusion that was deduced from the establishment of that proposition. I did not understand him to say that because he had some reason to fear that trouble would happen at the end of thirty years, *therefore* it was wise to precipitate *now* all the calamities which an active imagination might lead us to apprehend as possible after thirty years. But if he had said it, with all possible respect for him, I think that I may say that the position would have required no answer. If it be better to bear the ills we have than to fly to others that we know not of, how much more certain is it that it is a great deal better not to precipitate ourselves into certain calamity, because at the end of a long period it is *possible* that that same calamity may, peradventure, come upon us.

"The South has been rash and hasty in its action, but are not traitors, unless our sires in '76 were traitors;" he further proceeds to say. I must say that I object to that. I must say that I object to taking the names of those whom he must pardon me if I *will* call traitors—I now refer to Yancey, and others of the same stripe—he must pardon me if I say that I cannot endure to have their names taken in the same breath with those of the venerated men who lived in and adorned the former period of history. The men of '76 revolted against oppression. They rose to throw off a tyranny which was too great to be endured. They rose to throw off a degree of misgovernment which Heaven never intended that man should bear—which never, in particular, it was designed that the Anglo Saxon race should bear—the most jealous race on earth of its liberties and rights. They endured until endurance could no longer be, and then, in a religious, patriotic spirit, and in a calm, dignified manner, appealed to the god of battles. Has anything like that action distinguished the men of the present day in the South? I am afraid I should be out of order, if I should speak of them as I feel. So far from their having any real grievances to redress, for years past, sir, there has been an industrious manufacture of every pretense upon which discontent could be founded—the schemers! the pests!—by which the "Southern mind could be educated, the Southern heart fired, and an opportune moment seized to precipitate the cotton States into revolution." That base design has been impudently avowed, and I am sorry to say it has not met with *universal* condemnation; but, thank God, it is almost universal. What has been the course of the States in pursuance of the design of that architect of mischief, Mr. Yancey? Why, after South Carolina had seceded, after she had declared, through one of her Representatives, that if the whole North could sign a blank sheet of paper, and give it to South Carolina to write her conditions upon—the conditions on which she would be content to remain faithful to her obligations as a State in the Union—still that instrument would not suffice, still it would not do; and South Carolina, in taking her position, virtually said this to the North: "We are going out; nothing can stop us, and no concessions, no modifications, no amendments of the Constitution, can prevail upon us to remain in the Union." I believe Georgia was the next in order. But how was the secession of Georgia brought about? Who that remembers that Georgia was one of the States of the Union, that her citizens are American citizens, that amongst them are those two illustrious men, Stephens and Hill—and others, too, (but I can never mention the names of those two men without gratitude and reverence, and for their sakes I hesitate to speak otherwise than in a kindly spirit of Georgia,) can think without a blush of shame that the most infamous falsehoods were sent over the telegraph, in order to precipitate the passage of the act of secession by the Convention? It was reported through the telegraph, that the Federal Government had sent an army to Charleston: that operations were commenced by the bombardment of that city; that old men, helpless children and women were being slaughtered by the hundred; that the city was in flames—in short, all the horrors which attend upon the most bloody war, were declared to exist there, and by the act of a tyrannous Federal Executive, and under the influence of that lie—that infamous lie—the Convention of Georgia was induced to pass its ordinance of secession. It is not so very unnatural that, under such a monstrous misrepresentation, hasty and unjustifiable action might have been had. But what I do say is, that it is reprehensible that when those members who voted for that ordinance found *they had done so under the influence* of a villainous misrepresentation, they did not move for a reconsideration.*

I believe, Mr. President, that whatever the *politicians* of the States of Georgia, Alabama, and others, have done, *if* the *people* of those States could have been properly consulted, different results would have appeared. I think the people have had a prodigiously small share in the acts of secession. Nothing, indeed, is more striking in reviewing the history of this sad crisis than the degree to which political jugglers have deposed the people from their rightful supremacy, and impudently told them that they were stripped of power, and henceforth are to be merely subordinate. Look at Alabama. At the election for delegates to the Convention which was to take into consideration the relations between Alabama and the Federal Government, less than one-third of the votes cast in November were *cast, on both sides, for* and against the members of the Convention. Of that one-third three-fifths were given to candidates in favor of secession, and two-fifths for Unionists or co-operationists, (for that is about the boldest name that even good and true men can take in this Southern reign of terror,) so that three-fifths of one-third—equal to one-fifth of the whole popular vote—actually represents the proportion of the State of Alabama which was in favor of going out of the Union.

One of the gentlemen who preceded me, said that he looked confidently to the time when the people of those much injured Southern States would march back into the Union over the bodies of the traitors who had thus misrepresented the popular wishes. And I think that that is literally true. The time will come, and I expect it will come before I am gray, when those States will come back, bringing, if necessary, the heads of those traitors with them, and *offering them as a* peace offering.

While the gentleman contended for the right of secession, he admitted that its exercise at the present time was not advisable; but, said he, if the time ever should come when the people of Missouri would be deprived of their rights, and it would become necessary for the purpose of resisting *intolerable oppression*, to dissolve our connection with the General Government, he would offer an ordinance of secession. Well, it is impossible to find much fault with a proposition so carefully guarded. When that time comes, when the oppression of the Federal Government becomes *intolerable*, why, no doubt, we shall do many things—in short, when the sky falls, we shall catch larks! But, in the meantime, it is most unwise to speculate as to such action upon an hypothesis which never may happen; *for* the happening of which there is no political probability.

Now, I believe I have gone over the main points advanced by the gentleman, and given my reasons for what I regard as a political heresy, namely, the idea that this nation is a compact of States and not a Union.

As to the amendment now pending, I will say that it legitimately brings up all the topics which we can fairly consider in connection with the relation which Missouri occupies to the National Government.

Mr. BROADHEAD moved to adjourn.

The President laid before the Convention a communication from the Directors of the Agricultural and Mechanical *Association, offering to present* each member with a *copy* of their Fifth Annual Report, if acceptable.

Convention then adjourned.

THIRTEENTH DAY.

ST. LOUIS, March 15th, 1861

Met at 10 o'clock, A. M.

Mr. President in the Chair.

Prayer by the Chaplain.

Journal read and approved.

Mr. GANTT. When the Convention adjourned yesterday I had just got through some desultory remarks in reply to the argument advanced by the gentleman from Marion, (Mr. Redd,) upon the action of the Government under *which* we live, and as to the principles on which the Constitution had been formed, and the Union which was created by it. I then passed on to consider some further remarks that he made respecting *the laws which had been passed by some of the* Northern States, and in the course of my reply to what fell from him on that subject, I said I thought he had overstated the matter when he said some of these States had laws which had been passed *avowedly* for the purpose of taking away from the slaveholder his right of property in the slave. I said I was not aware of any statute on that subject in any Northern State, or any State which dared to adopt such audacious treason, as he supposed, and I called upon him to name the State which had been guilty of so flagrant a violation of constitutional duty. He said the State he had in his mind when making the charge was the State of Maine, and that the act in question passed the Legislature of that State in the year 1858, or thereabouts. Well, if any act passed the Legislature of Maine in 1858, I can only say that I have no means of knowledge upon the subject, seeing that the Revised Statutes of Maine, which are in the Law Library in this city, which has a tolerably full collection of books, come down to the year 1857 inclusive, and not further. But in that volume I did find an act, which must be the one to which the gentlemen had reference, and I am glad to be able to say that, upon examination of that act, there is nothing in it of the character which he imputed to it, but that it is a law against kidnapping, drawn up in almost the identical terms with the law which we have upon our own Statutes upon the same subject, with this difference only: that whereas *our* statute punishes the offense by imprisonment in the penitentiary for a term not exceeding ten years, that of Maine punishes the offense by imprisonment for a term not exceeding five years, with the alternative of a fine of $1,000. That is the act which has been so much misunderstood. Another section, the 29th of the Maine Statute, refers to the relation of master and slave, but it merely says that any person who is a slave owner, voluntarily bringing or allowing to be brought into the State of Maine, any slave to him belonging, will thereby *forfeit his right—that is to say, any person* contravening the law of the State, in respect to that matter, by bringing his slave into that State, shall be stripped of all the means of enforcing his right to the possession of that slave in that State. Now, Mr. President, upon this subject I will say that while I am glad there is nothing in the phraseology of the act to which I have referred to which any exception can be taken, yet we must bear constantly in mind that it is not so much the law on the subject as it is the spirit in which it is administered, which makes the difficulty. Who has ever found any disturbance to arise from a violation of the rights of property nder our act? Yet, will any person contend that kidnapping is tolerated in Missouri? I think not—and if similar laws upon the same subject, of equal or greater or less severity in other States were executed in the same spirit as our own, no complaint would be likely to arise—but laws like these, like any other legislation, may be made the pretext of a persecution by persons of a malicious character, or under color of the law may be made to work the greatest injustice, and that is the thing of which our brethren at the South have mainly complained; and of which they have the greatest right to complain; and while I maintain *that,* justice requires that we should not be blind to the fact that there are also abuses of a flagrant character upon the rights of Northern men in the Southern States, not by legislation, but by mob law. Upon this very subject, let me say, that in the year 1835, or thereabouts, a commissioner was sent to one of the Southern States for the purpose of bringing to the test of a judicial decision by the Supreme Court of the United States, the constitutionality of a law which required that when any colored seaman came to the ports of that State, or to any town in that State, such seaman should be committed to jail during the stay of the vessel in that port, and discharged from confinement only when the vessel was ready to weigh anchor. One of the Northern States wished to bring the constitutionality of that act to a judicial decision. For that purpose they dispatched a commissioner to the Southern State, with instructions to make a case the moment any one hailing from the State he represented might be seized under that act. Now all of us have reason to deplore that the course of law was not allowed on that occasion. If the act was constitutional, the question would have been settled finally. I believe the act was constitutional, for, not recognizing those colored persons as citizens, I am of opinion that the Legislature of the State from which they came, could not clothe them with the privileges of citizenship in the other States of the Union, and believing *that,* I think the decision of the Supreme Court of the United States would have declared the constitutionality of that act, in a satisfactory manner and so would have put at rest the angry passions to which that act gave rise, where the Constitution was misunderstood; but instead of a regular course of law being allowed, mob violence was resorted to and the commissioner was forced to leave the State to which I have alluded. He was there with a portion of his family, a female portion too, if I recollect, and passage was taken for him and his family, upon a vessel bound for the State to which he belonged, and he was advised to go back home and return no more. That act of violence is deeply to be deplored on all grounds; chiefly because it retarded the decisive settlement of this controverted question by the supreme constitutional arbiter, but also because the mode of preventing this settlement, which was adopted by South Carolina, was liable to the greatest objection. And that brings me to the consideration of the question, which is the most important one that has been considered in the course of this debate. I think I have sufficiently shown, or that it was sufficiently clear before any one attempted to demonstrate it, and the argument is so familiar that I feel ashamed to present it to an assembly, composed in a large measure of jurists and lawyers—it is, I say, abundantly plain, that the Constitution of the United States, which makes this Union, is the act of the people, and is the expression of the supreme will, according to its tenor; it is the supreme law of the land; and the Federal power acquired by it extends judically to all cases arising under the Constitution and laws which may be made, or to any treaty into which the United States may enter. This being the case, the Federal Government being as essentially a Government, which was secured by the people of the whole United States, as in the strictest sense any State government can be said to be; and being in its own sphere supreme over the government of any State: That being the case, no one—no individual in the States of the thirty-four which comprise this Union, can oppose any law of the United States, or any provision of the Constitution, without being guilty of an obstruction of legal process, of treason, revolution, or insurrection, according to the circumstances.

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*NOTE.—Mr. Gantt desired to be noted here that it has been suggested to him by a friend that these lying telegrams were put in use for the purpose of influencing the election of the convention, not the action of that body after it was elected.—Mr. Gantt spoke from recollection of the matter, and stated in the newspaper at the time; and the matter may very well be, as indicated by the correction, for which he makes his acknowledgments.

Such being the legal aspect of secession, what is its moral aspect. We know that by common law, treason is the highest crime of which the law takes cognizance—the sum of all human criminality. Now, has treason lost any of its significance—is it any less an attempt to overthrow that which should be sacred than it was when the common law was the rule of interpretation and government? What is it that constitutes the turpitude or moral blackness of any act? I could, without any offence so without any violation of right or law light this piece of paper that I hold in my hand, and throw it upon this table; but suppose that instead of this table a mine of powder should occupy its place. By touching it with a match, I would destroy the lives of all in this building. If I should commit any act which would destroy life, I should be branded justly as one of the worst possible criminals—but I would be much more than an ordinary murderer by the commission of this act, for I should strike against the lives not only of those who are dearest to me, of my particular friends and acquaintances, but I should strike against the lives of many whom I do not know at all, and involve hundreds in common destruction by the act which I have imagined. So, then, such a deed as that would be far worse than ordinary murder, and I need not waste words to show how detestable an ordinary murderer is.

But what would be the offense of blowing this building with all in it into atoms, compared with the unspeakable criminality of striking at the solidity of a Government, which it is no figure of rhetoric to say is the last hope of mankind? If this great experiment fails—(and the eyes of the world are upon us)—I say if this great experiment fails, I cannot say who may weep, but all the fiends will laugh, and the friends of arbitrary government, the oppressors of human rights, the deriders of every scheme of human government that does not count upon the sword, the fetter and the dungeon, will exult and point to America as an illustration of a most miserable failure of the great experiment of self-government, tried under the most favorable circumstances. We have every circumstance in aid of its success, and if it is to be destroyed by the evil passions and the base motives of a few conspirators against the will of an immense majority, while the experiment itself is in all material respects in the full tide of success, then the oppressors of human rights may well laugh the experiment to scorn.—I say then, Mr. President, when we come to the consideration of this most important question—when we consider not only the legal bearing of the matter, but the moral aspect of treason which is embodied in the word secession—when we consider these things we must either be duller than the stones beneath our feet or alive to the tremendous consequences and wickedness of the act by which so few can inflict everlasting injury on so many. A great deal of noise has been made by these secessionists—but thank God they are few, and wherever the people have been permitted to speak their views, the vote in favor of treason has been insignificantly small, and has resulted triumphantly in favor of those who wish to sustain the institutions which our forefathers have handed down to us. For these reasons, I think we are justified in concluding that the great noise which has been made, proceeds from a very few black and guilty throats.

What would be the consequence of the conclusions to which the gentleman from Marion came? If one of the States possesses the right at will, to retire from the Confederacy, and to assume that the compact can be broken at will, and declare that it is no longer binding—that is, it is at liberty to secede from the (I do not like to use the word Confederacy, for it is not one) Union of which it is a part, and take what course may seem good in its own mind; I say what would be the result of that? Why the old maxim of philosophy that out of nothing nothing can come, would be entirely refuted, for it would be certainly true that if that construction be the correct one, the fact would be established that there never was such a sham palmed upon the world as this idea of a General Government; as this notion that we have any such thing as a General Government at all. According to that construction we have no Federal Government, and never had one—for that which we have supposed to be such has no power, and what is a Government that has no power to execute its laws? Nothing whatever. Then according to that doctrine we have no Government at all; and the people of the nations of the earth who have heretofore looked upon us with envy and admiration, have been sadly imposed upon by a glittering make-believe. The most signal results of which ancient or modern history speaks, have been effected by a shadow and a mockery.—Achievements in every department of human exertion, erroneously attributed to our glorious institutions, have been due to a delusion into which the whole world, along with ourselves has fallen. This explanation of the matter furnishes an apology for the action of the school of which that gentleman is an exponent—for if we have no federal or central power there can be no crime in overthrowing that which has no existence, and if there be no such thing, there is no danger of being subjected to the offense of treason. But the fact is, the vanishing nature of that argument displays itself most clearly when a blow is made at it. You may strike the blow but the blow falls upon empty air. The gentleman from Marion, in his argument, contended that inasmuch as the Constitution was framed by a body which had no authority defined by any authentic or accepted instrument on the part of the American people; and as that body did not claim for its own acts any binding force until the same were ratified by the States which sent them to meet together in Convention, and the proposal which they made as to the Constitution, had no force until ratified by the States—that, therefore, it was the act of the several States, and constituted a league between the States instead of being according to its terms, a Union of the People of the United States, extinguishing or suspending during its continuance, (and that continuance is until doomsday)—Extinguishing, then, the rights of the sovereign States, whose consent was given to it as to certain powers, and clothing that Federal Government, which was established by that Constitution, with all the powers enumeraed in that instrument, and giving it at the same time all the necessary powers to carry into effect those which were granted in express terms. I argued that the very hypothesis of the gentleman was fatal to his argument. He maintained that the States which ratified the Constitution were sovereign. I grant it; they certainly were. It is a part of my case. They were essentially sovereign, and when they ratified and confirmed this instrument they had full power to do so, and to grant to the Federal Government and the Constitution all the characteristics, all the powers secured, by all the sanctions which are preserved and ascertained in that instrument. I argue that the ratification of the instrument made it take effect *according to its tenor*, and that as the tenor declared it was an act of the people of the U. States, the consent of the several States, the only power which could, by any possibility of the widest imagining, call in question that consent, irrevocably and indisputably fixed the character of the instrument and made it take effect according to its tenor.

Now, is there anything whatever in the argument that this Constitution, as it stands, is not at the mercy of a mass meeting of every man, woman and child of any particular locality? Of course there is not. We do not recognise, for purposes of legislation, National or Federal, any tumultuary assemblage of citizens. Every county and city in every State of the United States speaks each in its sphere, by an organized body, in order that its utterances may be distinct, and in order that some formality and authenticity may accompany its declaration. If every man, woman, and child becomes opposed to the Constitution, and wish its alteration, they cannot, by making an absurd display of their wish meeting in public and by adopting mass resolutions, effect any change in that instrument. But it is no less true, if that sentiment is universal, the alteration of that instrument is as certain to occur, in a constitutional way, as effects to follow cause.

The gentleman from Marion adverted to the failure on the part of the North to execute the fugitive slave law. I said yesterday that I quite agreed with him that the South had good cause to complain of the North in that respect. The North has not only passively but actively resisted the execution of that law. Her active opposition has been mostly by the interposition of mob violence in the way of the action of the Federal Officers. But is it fair to forget, under these circumstances, that when mobs of that kind have obstructed the execution of the law—in the Northern States—that their force has been overborne by a greater force under the Federal authority, and that the execution of the law has been victoriously carried out even in the city of BostonW ? as there any scruple in the minds of the most tender-footed anti-coercionists in the land, those who at the mere mention of coercion conjure up the most frightful scenes of blood-shed, when the negro Burns was taken from Boston in execution of the supreme law of the land?—did any one then think that act on the part of the General Government, was an invasion of State sovereignty, which would justify State revolntion? I trow not. If such opinions were entertained, they were by such men as Wendell Phillips, Tappan and Garrison. But I believe I must correct myself. Those men are anti-coercionists at the present time—they are among the foremost in defence of secession, and they declare the Federal Government has no right to bring back South Carolina, Georgia, or any other State into the Union. They not only say that, but also that the Federal Government has no right to execute any laws of Congress within any of those States; that they are out, and must continue out; and they argue in support of the proposition with a zeal which shows their heart is in it, and for reasons good. They are upon this subject staunch allies of Rhett, Yancey & Co.—and they see clearly—(the gentleman from Marion complimented the far-sightedness of the Abolition party when he said that whatever else he condemned, he must admire their keenness of perception,) let me tell you that they see with the clearness of a prophet's vision that the disruption of this Confederacy is death to the institution in behalf of which secession is invoked by them, and in defence of which secession is claimed to be a wise measure by some of us.

Mr. President, this is a good illustration of the manner in which extremes meet. Those who would move Heaven and earth to reduce a nation which has more promise than any other on the globe—to reduce it to the miserable condition of the governments of Mexico and South America—would esteem it a small matter to do this in order to carry out their sentimental theories of the rights of the African. On the other hand certain men in the South, equally selfish, equally unscrupulous, equally faithless to the Constitution to which they owe fealty, and equally faithless to a Government which is admired by the whole world, would shiver this Union into fragments for the purpose of building up a contemptible little oligarchy, in which they may be for a time, as they fancy, the heads. One has for its idol the perpetuation of African slavery, and the other has for its dearest wish, as it says, to obliterate every distinction between the white man and the black, and confer upon the latter every right which every citizen in the land enjoys. These two objects, these most opposed purposes, are pursued by persons and parties hitherto the most violent enemies; but now, travelling the same road, and uniting to advocate the political heresy of secession.

These oppositions in the North to the execution of the fugitive slave law, are to be deplored and condemned, and they must be corrected, and they are in course of correction. The present agitation will not be without its effect. If it does nothing else, it will rouse the public mind to matters of vital interest; and if it will compel the people to resume their functions of self-government, instead of confiding to the politicians, adventurers and place hunters, to the mob and to the lowest orders of society, the management of their affairs, State and national, the effect of the present disturbance will, I trust, be to make every citizen sensible that if there is one duty that is sacred, it is to religiously attend to the selection of proper men for every office under the constitution of the State, and the United States. The opposition to the execution of the fugitive slave law in the North, may be very well set off, (in order that we may not be accused of self-righteousness, and of imagining that WE present to the world the spectacle of injured, suffering innocence; but the North, that of active aggression.) I say resistance to the fugitive slave law at the North, may, for that purpose only, be set against the non-execution of the laws for the suppression of the African slave trade in the South. What man of moderation and intelligence throughout the land did not see in the conduct of the citizens of a Southern State, when the bark "Echo," with a cargo of slaves was brought into a Southern port, and when the most determined opposition was made to the remanding of those slaves back into the country from where they were taken; and again when the yacht "Wanderer" was taken into another port, and there by force, in open day, subjected to the unresisted acts of mob violence—what man is there who did not see in these acts an assurance that this lawlessness would be counterpoised by lawlessness on the other side; and that it would be almost impossible, so long as such acts were unpunished, to procure an execution of the fugitive slave law in the North? What conclusions do I deduce from all this? That one wrong offsets the other and that no party has a right to complain? God forbid! I say that there are wrongs on both sides, and that both wrongs or the wrongs on both sides must be corrected. History speaks of wrongs on both sides; and depend upon it, wrongs upon one side alone can never produce any very mischievous effect. It is only when a wrong on one side is met by a wrong on the other, by a kind of rivalry, that matters reach any very high point of mischief and destruction; and therefore I call the attention of those who hear me, to these faults on both sides, only for the purpose of drawing attention to the fact that public sentiment needs correction in both sections, and that if we are to continue to be citizens of a free country, we must execute the laws, because they *are* laws, without regard to the prejudice which stands in the way of their execution. As long as the laws stand there, they must be fulfilled, and we are faithless to the Constitution under which we live, unless we fulfill them; and more, whenever a citizen—I will not say a judge—stands in the way of the execution of the law because of a supposed hardship—whenever he prevents the regular course of justice, imagining that to do a great right he may do a little wrong—whenever that most pernicious and puzzle-headed philosophy gets possession of any mind, there is no such thing as saying where the evil consequences of the act may stop. It goes forth, and the results are not to be measured or foreseen. Will it be any slight matter that we, the American people, should lose that reverence for the laws in which we have been educated, which is the most distinctive, the proudest characteristic of American citizens; and which has been regarded with a sort of stupified admiration by travellers from Europe, being something which is to be seen nowhere else under the sun? I have been told by foreigners that there is nothing which so impresses the native of any other country, as the spectacle of the criminal trials which take place in this—a Judge sitting upon a bench in plain clothes, a few bystanders, a bailiff, one criminal and a jury; no tipstaff, no soldiers, no guard over the criminal—the criminal having perhaps the sympathies of a large number of the audience, and yet no one in the crowd having any more idea of the possibility of gainsaying the sentence which shall be pronounced, upon evidence, or of opposing its execution than of opposing the law of gravitation, but yielding to it as an irresistible power, which it would be impiety and madness to contradict or oppose. That spectacle, the force of that moral power executing its own decrees by virtue of the common consent of the people of this country, and standing in the place of the sword, standing armies and constabulary forces—I am told that such a spectacle is one which it takes a long time for foreigners to understand. Can we not be sensible of the blessings we enjoy, and the deplorable loss we shall sustain if ever that state of sentiment ceases to exist? Yet there are those who imagine a case of subversion of this Government—who look forward thirty years and suppose a possible state of things on which secessionand revolution may be justified—there are those who, in view of the possibility of such a state of things at the end of thirty years, are willing now to take the fatal plunge, and convert future into present evil. These men are such enemies to the common weal that I have no sympathy with them, and I am sure that such a wild departure from all the maxims of practical statesmanship, to say nothing of the rules of common sence, finds no support among the people of Missouri.

It is said those who argue in favor of the Government are submissionists and coercionists. These two words are supposed to have ugly sounds. It is imagined that no one likes to be called a submissionist, and rather than be so called, that he will place himself upon very questionable ground—indeed, that he will allow himself to be misrepresented rather than accept a term which is capable of misinterpretation. If by submissionist is meant one who is determined to support the constitution and submit to the laws, I am a submissionist. The term is one in which, thus applied, I shall take pride. The word coercion also has been plentifully used as a scare-crow. Now, coercion is a word the definition of which is demanded of those who use it in an evil sense. Am I called a coercionist? I ask what is meant by coercion? I don't want you to use a word capable of two definitions without defining the sense in which you use it. We lawyers have a maxim upon the subject, which shows how jealously all such vague terms are regarded, and we say that "a man who wishes to deceive confines himself to generalities." And so I say it is imperatively incumbent upon them, if they wish any one to pay any respect to them, to define what they mean by coercion. They do not all attach the same meaning to it. Some speak of the horrors of war. Does any one deny the horrors of war? It is one of the quarrels of Union men with the secessionists, that secession makes war, and that is our main objection to it, so that it will not do to say that those who are in favor of coercion are in favor of war. In that word, coerce, we understand the sentiment which would enforce obedience to the laws by peaceable and civil means, and so prevent the possibility of civil war. We would appeal to those civil means by which the Government executes the laws, and so prevent an appeal to the sword. It will not do to talk about marching armies across the soil of the Southern States to shed the blood of our brothers of the South. No man of common sense would advocate such a proceeding; the thing is too absurd to be entertained for a moment. The machinery for the proper execution of the laws exists in all the States. It may be that it is now out of joint, so much so as to render the execution of the law in some of them temporarily impossible. What then? Wait until the return of reason. Time will remedy the difficulty, and when the wrongs become too great, the people of those states themselves, uncoerced except by the convictions of their reawakened patriotism, will invoke the protection of that law which not they, but usurpers in their name, have thrown off, and ther, by common consent, the law will once more resume its sway, and this Union be what it was in times past, and what it will be in the future.

But we are charged with misrepresenting our Southern brethren. It is said that they ought to be spoken of with all possible tenderness. One of the speakers yesterday told you that he could not consent to call these persons traitors; that they were acting for the common good, and were just and patriotic. I think that none of us can be unmindful of the events of the last past month, and looking to the actual conduct of the men for whom this softness of expression is bespoken, I think I see in this tenderness of dealing with traitors a certain cowardly spirit of compromise, and I cannot help denouncing it. It seems to me to resemble nothing so much as the old superstitious surgical practices of the Middle Ages. Then, when a man was run through the body with a sword, instead of treating the wound and salving it, the *sword* which had created the wound was taken and carefully wiped and salved, and received every attention, and the poor creatures who adopted this course of treatment believed that there was a certain kind of sympathy whereby the ointments which were placed upon the edge of the blade would produce a healing effect upon the wound itself. Now, that we have out grown this surgical superstition and absurdity, we are ready enough to laugh at it, as an exploded folly of the dark ages; but are we not exalting ourselves a little unduly? We are debating whether we shall not give to the wound which the body politic has received the precise treatment which was in vogue 500 years ago, in the case of wounds inflicted by the sword or the spear upon the natural body. And I think this sentimentalism which we are now considering does not differ from this surgical absurdity of the Middle Ages. And I may as well at this time refer to another illustration. There have been sickly sentimentalists before our time. This tenderness towards traitors and this dread of executing the laws is not entirely a new thing. There have been examples of the kind before to-day, wherein this precious brood have figured. In the last century there was, in a province of France, a Judge, who was a young man of great learning, and who was noted for his most ascetic purity and conduct of life. He supported an aged mother out of the small salary which he received as Judge, and this small salary was his only means of subsistence. This Judge performed his judicial functions with great acceptance for many years. At length he suddenly resigned his office, and that resignation left him destitute. He resigned—and why? It happened that a man who had been protected and educated and clothed and treated with the utmost kindness by a certain old gentleman of the town, had murdered his benefactor in order to clutch his funds. This wretch having been convicted of murder, the day was fixed upon for this judge to pronounce the sentence of death; but he was so tender-hearted, that rather than pronounce the sentence he resigned his seat. Now, do you suppose I am speaking of Fenelon or La Peyroux, or any of those philanthropists? No. I am speaking of Maximillian Robespierre—a man who, a few years after this tender exhibition, waded in blood up to his very lips, nay, swam in it. I can assure those gentlemen who exhibit such a tender-heartedness at the present day in regard to coercion, that Maximillian Robespierre was one of their kind. Sentimentalists are not to be trusted with the conduct of any practical business, they are not of sound mind, they profess great regard for human rights, but their real affection is for *mooncalves*; for the abolition of capital punishment, for the abolition of negro-slavery, and the overthrow of every institution that deals practically with facts, and with nature, as both exist.

It was said in support of the amendment under discussion, that if Missouri acted properly in this matter, she must act as Virginia, Kentucky, Maryland and North Carolina acted when the New York resolutions were laid before them. These New York resolutions made the offer that New York, would be ready with men and money to enforce the Federal authority in the South. Kentucky very properly said to New York, whenever you embark upon any such enterprise, you had better keep clear of the soil of Kentucky; for if you attempt to cross the soil of Kentucky in the prosecution of such an enterprise, you will be met with men and arms. I am prepared to indorse that sentiment, because New York has no right to furnish men and money, except at the call of the Federal Government. This resolution assumed gratuitously a state of things which I believe will never exist—a state of war. It looked forward to that. In tendering this aid to the Federal Government, New York was unquestionably wrong. But no such resolution was sent to us, and we should be wrong in going out of our way to notice it, or to pass this amendment—and to that I will come in a moment, but before doing so, I wish to say this:

I said to my friend from Marion yesterday, that I claimed to be as strict a constructiontionist of the Constitution, as any man anywhere; that I hold the Federal Government to the powers which were conferred by that instrument. I tell him I shall not be an apologist for the North. But I would speak unreservedly my sentiments upon this subject, and before I leave this part of the subject, I wish to say this:—that I believe the negro race is blessed by the institution of African slavery, as it exists in these United States; that there is no spot upon the face of the globe, in which the negro race enjoys so much physical comfort, or moral training and education, as in the slave States of North America. I weigh my words, and I say in the *slave* States of North America.

If there be an exception to the remark, I should like to know where it is. Is it in Africa, where, at the funeral of the King of Dahomay hundreds of human victims where offered in bloody sacrifice? Where the negroes worship all manner of idols and indulge in all sorts of superstitions and beastly practices? Is it Liberia—a colony which has been settled with Africans from this country, and who, though partially civilized by contact with a superior race, are as credible testimony shows, in a state of rapid relapse into the barbarism from which the Africans originally sprang? Is it in Jamaica, where the negro race is at this moment in a far less civilized condition than in 1836 when they were emancipated? In 1836, when those negroes were emancipated, they were fast becoming Christianized, but they have since relapsed, by a singular instinct, into all those degrading and superstitious worships and practices peculiar to their forefathers in the depths of Africa. Is it in the Northern States of the Union? Let no one suppose that such is the fact. A more squalid, debased and diminishing population is nowhere to be found than the free negroes of the Northern States. It will not do to ascribe this to climate, for in some of the free and slave States there is no difference in point of latitude. Take for instance Missouri and Illinois, and we find that the negro is far better cared for in this State in bondage, than free in Illinois. There is Cuba, which is a slave country of a tropical climate, but Cuba is no exception to the remark I have made. The Cubans well know the superior capacities of men over women for hard labor, and seeing in the dreadful slave trade an unfailing source of supply at a cheap rate of the most productive class of laborers, they have on large estates hundreds of male negro slaves without two women. I need not dwell upon the unspeakable horrors that necessarily flow from such a state of society. Thank heaven there is nothing like it in *my* country. So I say the negro race—and I say it for the benefit of those philanthropists who think they have a special mission to make a crusade against slavery in the Southern States.—I say whatever its effect may be upon the white man—and I shall leave that question untouched—upon the black man its influence is benign; and that no where else is the African race so well cared for, as in the slave States of North America. This being the effect upon the African, what are the results of his labor? Can any person who is not a fanatic contend, for a moment, that the work which is performed by slave labor in the tropics—that the cotton, rice and sugar which is there cultivated—that the labor necessary for its cultivation can be performed by any but the negro race? It cannot be done by any other. And one of two things must be—either the fertile country which now yields to the world those articles of necessity—for they have ceased to be luxuries—either these must be surrendered to the serpent, the alligator and the wilderness, or the institution of negro slavery must prevail. It is clear that the negro cannot be made to work anywhere, except by the means now used in the Southern States, viz: by compulsion. The negro will not be stimulated to industry by the expectation of its ordinary rewards. Whenever reliance has been placed upon these motives, the only result has been disappointment and failure—so it will ever be—you must *compel* them to work. Nobody understands this better than our friends across the British channel. They are seeking at this moment to find a substitute for it. They have found a country where cotton can be raised, and they have the African race. But the difficulty is, they want organized labor.—This is the delicate phrase which they use. The don't like to use the plain word *slavery*. They have too long charged upon all who had part or lot in slavery a degree of criminality which makes them shrink from admitting that all this time they have been making war on the only possible means of supplying a prime necessity of the civilized world. So instead of design the word "negro-slavery" they talk of "organized labor" at the hands of Africans, and in admitting that *without* such organisation cotton cannot be had, they go as far as Exeter Hall can be expected to go at *one* step, towards the abandonment of its sentimental platform.

A few words now on the subject of this resolution, and I hope my remarks will not be considered out of order. I object to this amendment. I object to it because it is subject to two interpretations. It is equivocal, and the over zeal of our present executive might read in this resolution an injunction calculated to instruct him to seize the Sub-Treasury in the State of Missouri. With his over zeal upon this subject, it will not be advisable to allow him to imagine that he will be under any obligations to respect the injunctions of this Convention so far as to seize upon the Federal Treasury in this city. Now, by a strict construction of the amendment he might consider himself thus authorized. The goods and merchandise that are consumed in Missouri are brought here from abroad. The duties upon these find their way into the Sub-Treasury of this city, and these are our contributions to the General Treasury, and this is the money which we furnish towards the support of the General Government; for in that way the taxes of the Federal Government are levied. But if we declare that this money must not be furnished to the General Government in any attempt to coerce a seceding State—and that term remaining so vague—it being by some considered that some of the very simplest acts of Federal authority are measures of coercion—it may be that when it is notified to the Governor that a certain sum of money is in the Treasury and that the Federal Government does not intend to send the mail into some of the seceded States, the Governor may, in the excess of his zeal, so far misinterpret this amendment as to believe that his duty compels him to take the monstrous step of seizing upon the Treasury. It has been well said that this amendment is liable to a further objection, in this that it needlessly pledges us to a certain line of policy, and that we cannot prudently make pledges to-day, which to-morrow we may see the folly of. For these reasons I shall vote against the amendment.

Mr. **Comingo**. When this discussion was commenced on the amendment offered by the gentleman from Clay, I did not intend to participate in the debate, but I have since changed my purpose, and determined to present a few views touching this matter. I have entertained the hope, until the last few days, that we were in the way of adjusting our difficulties; but that hope has been greatly depressed by the news I find in the morning papers. I have been fluctuating between hope and despair for many days, but this morning I feel greatly depressed. I feel that this nation is at this moment standing upon a treacherous crust of a fearful volcano.

I regret that the discussion of this subject has taken such a wide range. I could have wished the members had confined themselves more strictly to the amendment. It is very important that we should, in this matter, act with great deliberation; and we should be sure, before we act, that we are right. There has never been a time when such important questions have been presented for consideration; and I feel that we ought to ascertain what is our duty, and then discharge that duty, whatever it may be. What we are doing, Mr. President and gentlemen of the Convention, does not, and will not affect alone our interests, but will have an influence in all coming time. If we take steps which may involve the nation in civil war, we shall do that which in all future time we shall have cause to regret. Consequently, I say, that we ought to use the utmost deliberation before we attempt to do anything.

We are taught, by philosophy, that a small stone cast into the bosom of the Atlantic, produces a vibration that is felt upon its extreme verge, and if this is true in natural philosophy, how much more true is it in moral philosophy, and that every act we commit on this occasion will have a relation to all future time. I am not disposed to go into a history of the difficulties that now surround us. I do not conceive that it is important that we should discuss the history of Abolitionism or Republicanism. But we should deal with facts as they now exist. I do not conceive that history has anything to do with the subject. It seems to me to be about as wise for the planters of Mississippi, in time of a crevasse, when the waters of the Mississippi are inundating their cotton fields, to stop and debate how much of that water came from the Ohio, how much from Lake Itasca, as it is for us to debate what have been the causes which have led to the present crisis in our affairs. Entertaining that view, I shall not attempt to trace the history of Republicanism, or trace any of our past history.

I am ready to use all my feeble efforts towards the preservation of our Union. I shall never cease my labors until the last ray of hope is extinguished. But while we are upon this subject, we should talk about it plainly—we should not attempt to conceal our view. So far as solving the present difficulties are concerned, I trust no gentleman will feel disposed to occupy any equivocal ground. At the same time that we feel that our duty requires us to talk plainly in regard to our difficulties, we should speak in terms of the utmost kindness. I do not feel like casting censure upon any man at this time. This is no time for crimination. We should neither denounce a man for being a Secessionist, neither should we decry a man for being a Republican. But if we can do anything to save the country, I feel that our labors will have been sufficiently rewarded. I presume from what I have studied in regard to this matter, that there is but one point upon which there is any difficulty, or upon which this Government is to be shipwrecked. It is well known to you all, I presume, that the Crittenden propositions received great favor, and would have been submitted to the people but for one of its clauses, that relating to the subject of slavery in the Territories. I shall not attempt to discuss the merits of that proposition, but call your attention to the fact that there would have been no difficulty in the way of adjusting our present troubles had it not been for that clause. Now, gentlemen of the Convention, this difficulty which is exciting so much attention, is an abstraction, according to my opinion, although it is true there is a principle involved in it. It is maintained by some that slavery should be protected in every foot of Territory, and by others that slavery should not go into the Territories, and this is the platform upon which Mr. Lincoln was elected. It is proposed by the Crittenden proposition that we shall divide this territory—that all north of a certain line shall be free and all south all slave. Our friends of the North say that they will not grant this privilege, and the tendency of their acts thus far has shown that they are willing to disrupt the nation and drench it in fraternal blood rather than concede this right. I maintain that if this line were drawn slavery would never go north, and that it would not to any extent be established south of that line. I think every man ought to concede this proposition and sacrifice so much of the principle as to permit us to take slavery south of that line. There is no use of disguising the fact that unless this question is adjusted in a satisfactory manner, civil war will ensue, as well as a total dissolution and disruption.

But what shall Missouri do at this time? Shall she secede at this time? No. I do not act here with that view. I do not propose that Missouri shall secede, but that she shall speak out to the border free and slave States, and to the whole Union, and tell them we want this Union preserved. We should tell them that we desire to settle the difficulties, and we should indicate the plan of doing it. She should act as mediator; and therefore it is I favor the amendment of the gentleman from Clay. The resolution offered by the Committee on Federal Relations does not, I think, place Missouri in a proper position. Acting as she should in the capacity of mediator, I say the amendment is well calculated to place her in her true position. It has been said that it contains a threat and an ultimatum. I do not so regard it. I think it gives the people of both sections to understand what we require and what is the duty of the North and South. It is true we are part and parcel of the General Government, yet we tell them that as a part we will not aid in coercing seceding States. I say that we should not menace the South nor the General Government, and when we say we will not countenance the Southern Confederacy in a war, or the General Government in a war upon the Southern States, we are taking the proper position.

I do not think the resolution at all conflicts with our duty. We are dealing with the subject as it now presents itself. We say that as matters now stand, we believe that our line of duty lies here, and we will follow it. It is known that the very moment the General Government makes war upon one of the seceded States, all hope of adjustment is gone. There can be no adjustment if the General Government should attempt to supply Fort Sumter, or collect the revenue, or pass a law abolishing ports of entry. Any attempt of this kind, to cut off the supplies by means of the sword, would be coercion. I know that many differ with me in this respect, but I am opposed to the General Government moving one foot in coercing these States, in the manner which I have indicated. I am opposed to the reinforcement of Fort Sumter, or of supplying Fort Pickens, when such an attempt would involve the nation in such a manner as to place our difficulties beyond the hope of adjustment. And the moment that the first drop of blood is shed the last ray of hope vanishes, and then all the border slave States will go out. You cannot stop the tide of public feeling. I have as patriotic devotion for the Government as any man, but I cannot ignore the fact that when civil war is initiated then you must take a decided stand, and cannot be neutral. Then where shall we go? I think there cannot be any question about that.

What is the true position in regard to the seceding States. Now, I shall not discuss the Constitutional question of secession. I do not know that any gentleman will underake to justify secession under the Constitution. I think secession is a heresy, and that no such term is applicable to the action of any State. The only term that can be used is revolution. Then I say that South Carolina and the other six States have revolutionized, and that the revolution is complete, and they are this day, although their independence has not been acknowledged by the United States, an independent government. This revolution has been bloodless, but it is complete. There was a time when this revolution could have been arrested and its leaders hung for treason. But I ask, gentlemen, whether that state of case now exists. They have formed a constitution. Mr. Buchanan never attempted to arrest the tide which has taken them out of the Union, and now they can never be brought back, except by treaty or stipulation. Do you suppose that if Lincoln marched an army to the South, and captured Jeff. Davis, the articles of war would not be observed, and that Jefferson Davis would be treated otherwise than as a prisoner of war? Those who are now living under that government are subject to it. They have taken an oath of allegiance to it, and now their action cannot be considered treason. You will find that action of that character is not so regarded by the best authorieies. I say then, the course indicated by the amendment to the resolution under consideration, is the true one. I am unwilling to forego the hope that peace may be restored. I hope this amendment will be adopted, because its rejection will be fraught with evil.

AFTERNOON SESSION.

The question before the Convention being on the adoption of the following amendment offered by Mr. Moss, of Clay, to the fifth resolution reported by the majority of the Committee on Federal Relations, to wit:

> "And further believing that the fate of Missouri depends upon the peaceable adjustment of our present difficulties, she will never countenance or aid a seceding State in making war on the General Government, nor will she furnish men and money for the purpose of aiding the General Government in any attempt to coerce a seding State."

Mr. Hitchcock said: I desire to speak briefly to the resolution offered by the gentleman from Clay. I am glad to see, from the remarks as well of the gentleman who last preceded me, [Mr. Comingo,] as of many others who have addressed the Convention, that in one feeling we are all united. I believe that there is no sentiment more earnest, more deep, or more heartfelt in this Convention than the desire that civil war may be avoided in this land, and that this Union may be preserved.

We are assembled here to deliberate upon the duty of the people of this State at this crisis. The question has been—upon what principles shall we act? what conclusion shall we recommend to that people? The inquiry takes at once, in the discussion of those principles, a form which presents it, on the one hand as a question of policy merely, while on the other it is regarded as a question of principle underlying that policy. Now, I presume that the proposition will not be disputed here—that we should not only carefully weigh all that we do but that in taking our position it is indispensable that we select a sure foundation for that position, on the principles of justice and truth. Thus alone, in these times of anxiety and doubt, can we hope to arrive at results which will endure. As when the mariner, on the broad waters of the Mediterranean, suddenly finds himself enveloped by the foam and fury of the whirlwinds, which sometimes sweep across that majestic inland sea; darkness and tempest surround him, and he may lose sight of the head-lands by which he shaped his course; yet though all other objects be hidden from his view, if he can but fix his eye upon his faithful chart and the unerring needle, steadfastly obeying their guidance through all the dangers and intricacies of his course, he is assured of at last reaching in safety the haven he desires. Never was there a time when it was so vital to our people to look into the principles which underlie our institutions. It is by those *first principles that we must regulate our action*, And I am rejoiced that these fundamental questions have been brought up before the Convention for discussion, since upon our views of these questions, whether we desire it or not, will practically rest the course which we shall adopt.

In the discussion of the proposed amendment, therefore, I desire—and I deem it eminently appropriate—to submit some considerations in reply to the remarks made yesterday by the gentleman from Marion, [Mr. Redd,] upon the right of secession. I think it cannot be denied, upon a calm consideration of the resolution now before us, *that it contemplates* the possibility of *practical nullification* by the State of Missouri. The resolution expressly declares that the State will not furnish men or money to aid the General Government in any attempt to coerce a seceding State. We are met at once by the ambiguity which, unfortunately, belongs to this much used word *coercion*. There have been various definitions of that word. According to some, it means the marching of an army into the South; with others, it embraces the retaking, and with others the mere holding of forts and arsenals—and again the collecting of the revenue. It seems to me that the word is generally defined more or less broadly, according to the degree of sympathy which the speaker has with the action of the extreme Southern States. And in view of the fact that so various meanings are given to the word, surely we are bound, if we use that word, to use it in view of *any interpretation* whatever which may be put upon it. We must foresee and be ready to stand by it under any possible interpretation. Now I apprehend that it has been demonstrated by one of my colleagues [Mr. Broadhead] that under the Constitution of the United States, which is supreme, the General Government has power to provide for calling out the militia, not only to execute the laws, but also to suppress insurrections and repel invasions. Suppose that the General Government, in the lawful exercise of that power, should call upon the people of this State to execute any existing law—suppose Missouri were lawfully called upon to furnish men to aid in suppressing insurrection or repelling invasion. Suppose that in such case—if the Convention should have adopted this resolution, and thereby pledged the course of action of our people—suppose that a response to such call would come within what some of them understand to be "coercion"—should we not be compelled to raise a question which might produce disorder and confusion among ourselves? Should we not be obliged to look beyond any such resolution, and in spite of any such interpretation, at the true nature of our relations to the General Government? Should we not be bound to act in accordance with a just view of our true relations to it, and of the fundamental principles of our institutions, so long as the Union continued to exist? Therefore I do not see how in considering this resolution, framed as it is, we can escape considering the question and the right of nullification as at least a possible question: and when we speak of nullification, we may as well discuss the true question which *that* idea involves—namely, the question whether a State has a right to throw off its obligations towards the Union, and in refusing to obey any one of those obligations to repudiate them all. It comes to that, and nothing else. Nullification cannot be defended save on the ground that a State has not only the right to *nullify* but to SECEDE. And I desire, therefore, to consider, as directly pertaining to the question now before us, the arguments advanced in favor of the "Right of Secession."

It will be remembered that the gentleman from Marion [Mr. Redd] in asserting the right of secession, laid down the following proposition:

> "That the Constitution of the United States is an "instrument made by the States, acting as States, "and having at the time, all the powers of sovereignty; and that it was a *compact* between them; and "that if this be true, then when that compact is violated, each State has a right to declare that compact at an end."

I read from my notes of the gentleman's remarks, carefully taken. I wish to state his argument fairly and correctly, and if I have not done so, I hope he will set me right. But I believe this is precisely what he said.

In support of that proposition, a brief historical statement was made as to the circumstances preceding and attending the adoption of the Constitution. You were reminded that on the Fourth of July, 1776, the thirteen colonies declared themselves to be "free and independent States," claiming "full power to levy war, conclude peace, contract alliances, establish commerce and to do all other acts and things which indepedent States may of right do." It was further stated, that in 1777, these free and independent States formed a compact, *under the Articles of Confederation*, by the fifth Article of which, they created an agent, the Congress, and delegated to it powers necessary for mutual defense and general welfare; that in that Congress, each State, without regard to size or population, had one vote; that by the second article each State expressly retained its *sovereignty*, and all powers not expressly delegated *to the Congress. It was further stated that* the confederation so formed lasted about ten years. But that experience showed the Congress to be deficient in the necessary powers, and that in 1787 it passed an act calling on the States to remedy these defects; that they did so, each State sending delegates appointed in its own way, which delegates met in convention in September, 1787, and formed *the present Constitution of the* United States.

You were further reminded that by the tenth article of that Constitution it was provided that when ratified by *nine* States, it should go into effect as between the States ratifying the same; that it was ratified by three States in the fall of 1787, and by six more in the spring of 1788; and that then, and not till then, had it vitality.

It was contended that these facts established the proposition above stated; that the *action of the States as such* alone gave vitality to the instrument; that the Convention performed the mere office of a *scrivener*, and that since, until ratified by nine States, the instrument had no effect, that the true question was—"When was the Constitution ratified?"—and that when you answer that, you tell when its vitality begun. That, therefore, it was not the action of the Convention, but the ratification by the several States, which gave vitality to the instrument. And the gentleman insisted that while the *effect* of the Constitution might be a question of law, yet the question as to *what it is*, is, as he expressed it, a mere question of fact, to be ascertained and established, like any other question of fact, by evidence. Upon the facts above set forth, therefore, he claimed that the Constitution was a compact between the several States, taking effect upon its ratification by the ninth State in June, 1788; and that afterwards the four remaining States concluded also to ratify it, and so became parties to the compact.

It was further argued that the delay of these four States to ratify the Constitution, was additional evidence that it was a compact merely; for where, it was asked, were those four States in the *interim?* Not under the old Confederation, for that was dissolved; not under the new Constitution, for that they had not adopted. They retained, *meanwhile, all their sovereign power*, and as sovereign States they finally came in and became parties to the new compact.

Upon these grounds the gentleman from Marion claimed to have established his proposition. He adduced *further arguments*, indeed, from the provisions contained in the Constitution itself for its own amendment, claiming that since amendments, even when proposed by a National Convention, must be ratified by three-fourths of the States, it is still the sovereign States which hold the power to ratify or prevent any change. And that it is therefore true that the Constitution is a *compact* formed by the States, and *not* by the people of the United States as one community.

This, if I am not mistaken—and I ask to be corrected if I am—was the gentleman's whole argument as to the true nature of the Constitution. From this he deduced without difficulty the conclusion, that though there is no tribunal to which, in case this "compact" be violated, an appeal can be made, yet there is a law that provides for the settlement of all difficulties—a law founded on eternal principles of justice, and recognized throughout the civilized world—the law of nations. That according to this law, when independent sovereign States make a compact, they are bound to keep it in good faith.

But, it was said, if the compact be violated, the law of nations provides a remedy in one of two ways. The injured party may either claim to hold the offender to the compact and demand indemnity for its violation, or it may rightfully declare the compact at an end. And if the offender refuse to consider the compact at an end when so rightfully declared, then an appeal to arms—military coercion—is the only resource.

Pursuing the principles thus laid down, and which the gentleman declared to be the true and only principles upon which the mutual rights and duties of the States can be be determined, he admitted that, if the Northern States have not violated this "compact," then the Southern seceding States have done wrong, and may be rightfully *compelled* by the North to fulfill it on their part. But if the States of the North have violated the compact, then the States of the South have a right to declare it at an end. And thus, having established, to his own satisfaction, the right of secession, under the Constitution, the gentleman went into an elaborate statement of the wrongs on the part of the North, which, in his view, fully establish the right of the Southern States at this time, to declare the compact at an end.

Into this latter branch I do not propose now to follow him. I deny his premises and dispute his argument—if I am right in that, his conclusions fall to the ground. I claim that the Constitution of the United States is not a *compact*, but just what it purports to be—a CONSTITUTION: the result of a compact, no doubt, but in no sense a compact between sovereign States as such. I claim that by and under that Constitution there was established and now exists a real National Government: that for all the purposes of that Government, which was established by and for the *people* of this country, the sovereignty of the States respectively was taken away from them by the PEOPLE, who ratified and adopted the Constitution, to whatever extent they thought necessary for their own welfare. And I contend that it is to that instrument itself, the Constitution of the United States, that we must look, and that *in it* we shall find a true and unmistakable exposition of its nature, objects and extent.

Indeed, the Convention must have been struck with the remarkable admission which was made by the gentleman himself, in opening his remarks—an admission which the advocates of his theory are usually very slow to make, and anxious in proportion as they find it difficult to get over. He frankly admitted that the very first words in the preamble to the Constitution—"WE, THE PEOPLE OF THE UNITED STATES"—weie not in harmony with his interpretation of that instrument. He went further; he acknowledged (with a candor which I respect) that those words are "*prima facie* evidence" against him—"*prima facie* evidence" that the instrument was not a compact between sovereign States, but a Constitution established by one people. *Prima facie* evidence, Mr. President, as every lawyer knows, means evidence which if not overthrown or contradicted, is held sufficient to prove a proposition true. Has this evidence been overthrown by the argument which I have quoted? I confess I am unable to see any logical connection in that argument.

What can be the connection between the nature of the instrument, and the time of its ratification? What difference can it make as to *what that instrument was and is,* whether nine States or thirteen States adopted it in 1787, or 1788, or four or ten years after.

I claim that the Constitution itself is its own best and necessary interpreter, and that both as a matter of fact and of common sense, if we would understand the instrument we must look into it. But the gentleman from Marion prefers to look outside: he declares the express recitals of the instrument *prima facie* evidence—no more: and appeals to the history of its adoption to decide "as a question of fact," what it is. Well, sir, I will meet the issue of fact. I appeal to the true history of the times—the history of that instrument itself—the words and acts and declarations of the statesmen who framed it—the occasion which assembled them, the evils they were forced to remedy, the remedy which they did provide, and *their* express declarations as to what they thought that remedy was. And thus upon his own ground, and by the very evidence to which he appeals, I propose to show that the gentleman's theory of a compact between sovereign States is wholly untenable and mistaken.

I remark, in the first place, that it is important to have correct ideas of the relations of the States to the central authority prior to 1787. It is a serious mistake to speak of the old Confederation, still more of the Congress which preceded it, as though the States had on a certain occasion come together and held a meeting and made an agreement and quietly gone on under it. The Continental Congress which adopted the Declaration of Independence, was little more than a Revolutionary Central Committee of the States, with powers necessarily vague and indefinite, and with an authority which nothing but the pressing necessities of the times upheld. That same Congress proposed, in 1777, the articles of Confederation which were ultimately adopted by the States; but not until 1781 were they adopted by all the States, nor did the first Congress of the Confederation meet (under the Article of the Confederation) till March 2d, 1781. The Confederation therefore really lasted but little more than six years, instead of ten. And there is nothing more striking or more manifest in the whole history of the Revolutionary struggle, or of the five years that followed its conclusion, than the fact that nothing but the pressing necessities of war had kept the States together, even imperfectly as they did it. Hardly was peace proclaimed, when the energies which a common danger had directed against a common foe, began to stir up internal strife. State pride, State rights, State jealousies, State rivalries, rapidly weakened the ties which had united them, and the most dangerous internal dissensions threatened to destroy all safety at home, while they were paralysing all respect and confidence abroad. The Confederation was hardly formed before it began to decay by its own inherent defects.

This "Confederation" was in every sense a compact between the States. It purported to be such, both in the preamble and by the tenor of the articles. The separate sovereignty of the States was expressly reserved by the 2d Article, and by 3d Article it is expressly set forth that "the said States 'hereby severally enter into a firm *league,*" &c. I do not dispute the gentleman's views as to the "Confederation." They suit me exactly.

But why were those "Articles of Confederation" abandoned? Why was the Federal Convention held in 1787? If, as the gentleman states—and as I agree—it was to remedy defects shown by experience, what was their nature and what was the remedy proposed? These are some of the "facts" with which I shall deal, and I propose to answer these questions from the original and indisputable records of the transactions themselves, and in the words of those who took part in them.

I beg to read, in answer to the first of these inquiries, from an elaborate statement, drawn up by **James Madison**, and printed at pages 109-120 of the *Madison Papers*, setting forth the events which preceded and the evils and dangers which brought about the Federal Convention of 1787:

"At the date of the Convention the aspect and retrospect of the political condition of the United States could not but fill the public mind with a gloom which was relieved only by a hope that so select a body would devise an adequate remedy for the existing and prospective evils so impressively demanding it.

"It was seen that the public debt, rendered so sacred by the cause in which it was incurred, remained without any provision for its payment. The reiterated and elaborate efforts of Congress to procure from the States a more adequate power to raise the means of payment, had failed. The effect of the ordinary requisitions of Congress had only displayed the inefficiency of the authority making them, none of the States having duly complied with them, some having failed altogether, or nearly so, while in one instance, that of New Jersey, a compliance was expressly refused: nor was more yielded to *the expostulations of members of Congress, deputed to her Legislature*, than a mere repeal of the law, without a compliance. The want of authority in Congress to regulate commerce had produced in foreign nations, particularly Great Britain, a monopolizing policy, injurious to the trade of the United States, and destructive to their navigation: *the imbecility and anticipated dissolution of the confederacy extinguishing all apprehension of a countervailing policy on the part of the United States.* The same want of a general power over commerce, led to an exercise of the power, separately, by the States, which not only proved abortive, but engendered rival, conflicting and angry regulations."

"The States having ports for foreign commerce taxed and irritated the States trading through them—as New York, Pennsylvania, Virginia and South Carolina. Some of the States, as Connecticut, taxed imports from others, as from Massachusetts, which complained in a letter to the Executive of Virginia, and doubtless to those of other States. In sundry instances, as of New York, New Jersey, Pennsylvania, and Maryland, the navigation laws treated the citizens of other States as aliens. In certain cases, the authority of the Confederacy was disregarded—as in violation, not only of the treaty of peace, (with Great Britain,) but of treaties with France and Holland; which were complained of to Congress. In other cases, the Federal authority was violated by treaties and wars with Indians, as by Georgia: by troops raised and kept up without the consent of Congress; as by Massachusetts: by compacts without the consent of Congress; as between Pennsylvania and New Jersey, and between Maryland and Virginia."

"In the internal administration of the States, a violation of contracts had become familiar, in the form of depreciated paper made a legal tender, of property substituted for money, of instalment laws, and of the occlusions of the courts of justice, although evident that all such interferences affecting the rights of other States, relatively creditors, as well as citizen, creditors within the State. Among the defects which had been severely felt, was want of uniformity in cases requiring it, as laws of naturalization and bankruptcy; *a coercive authority over individuals*, and a guarantee of internal tranquility of the States."

Such, Mr. President, is the gloomy catalogue given by this eminent Virginia statesman of the evils, the defects and the disorders then existing under and resulting from the Articles of Confederation. But he goes on, as it were with a prophetic no less than a historic statement of the consequences which then flowed, and which must ever flow from such a system. I continue the extract:

"As a natural consequence of this disheartening and distracted condition of the Union, the federal authority had ceased to be respected abroad; and dispositions were shown there, particularly in Great Britain, to take advantage of its imbecility and to speculate on its approaching downfall. At home it had lost all confidence and credit. The unstable and unjust career of the States, had also forfeited the respect and confidence essential to order and good government, involving a general decay of confidence and credit between man and man."

And what were the rapidly approaching results and dangers threatening not only the Confederation of the States, but the liberties of the people themselves? Mr. **Madison** thus continues:

"It was found moreover that *those least partial to popular government*, or most distrustful of its efficacy, were yielding to anticipations, that, from an increase of the confusion, *a government might result more congenial to their taste or their opinions:* Whilst those most devoted to the principles and forms of republics were *alarmed for the cause of liberty itself*, at stake in the American experiment, and anxious for a system that would avoid the inefficacy of a mere confederacy without passing into the opposite extreme of a consolidated government. It was known that there were individuals *who had betrayed a bias towards monarchy*, and there had always been some not unfavorable to a partition of the Union *into several confederacies*, either from a better chance of figuring on a sectional theatre, or that the sections would require stronger governments, or by their hostile conflicts, lead to a monarchical consolidation. The idea of dismemberment had recently made its appearance in the newspapers."

"Such [says Mr. **Madison**] were the defects, the deformities, the diseases, and the ominous prospects, for which the Convention were to provide a remedy, and "—[I beg the gentleman to observe this]—"*which ought never to be overlooked in expounding and appreciating the constitutional charter, the remedy that was provided.*"

I think, sir, that with this understanding of the evils to be remedied, we may proceed to examine the measures adopted for that purpose.

The Federal Convention met at Philadelphia, in May, 1787. After some days spent in waiting for absentees, and in preliminary business, we find that on the 29th of May, (see debates, p. 126,) Gov. **Randolph**, of Virginia, "opened the main "business." Both from his own statement, and from that of Mr. Madison, it appears that he did so upon upon consultation with, and at the request of his colleagues, "the Convention having "originated from Virginia": and that his propositions embodied their views. He made a brief address, strongly picturing the distracted condition of the country, and the utter inefficiency of the Confederation, and closed by offering a series of fifteen resolutions, embodying the essential features which they thought expedient to adopt.

On the same day, Mr. Pinckney, of South Carolina, laid before the Convention a plan of a Federal Constitution, and both plans were referred to the Committee of the whole.

On the next day, Mr. Randolph's plan was taken up, but was postponed in order to consider the following resolutions, also introduced by him, and which I read, as showing the fundamental principles upon which the Convention acted.—[Debates, p. 132.]

> "1. That a Union of the States merely Federal will not accomplish the objects proposed by the articles of confederation—namely, common defence, security of liberty, and general welfare."
>
> 2. "That no treaty or treaties among the whole or part of the States, as individual sovereignties, would be sufficient."
>
> 3. "That a *National* Government ought to be established, consisting of a *supreme* legislative, executive, and and judiciary."

I cannot too earnestly ask your attention to these brief and simple, but all-important resolutions. They were introduced and debated, expressly as involving the fundamental principles by which all the action of the Convention was to be shaped. They expressly declare that no treaty or treaties, no union merely *Federal*, between the States as individual sovereignties, will accomplish the desired objects. The discussion of them shows that the vital question was precisely whether the future Union should be a "Confederation," a league, or treaty, between the States as such, or a *National* Government, resting and operating upon the whole people. Thus we find: [Debates, p. 133:]

> "Mr. Gouverneur Morris explained the distinction between a *Federal* and a *National* Government: the former being a mere compact resting on the good faith of the parties, the latter having a complete and compulsive operation.
>
> "Mr. Mason observed not only that the present Confederation was deficient in not providing for coercion and punishment against delinquent States, but argued very cogently that punishment could not, in the nature of things, be executed on the States collectively, and therefore, that such a government was "*necessary as could directly operate on individuals*, and would punish those only whose guilt required it."

The first direct vote taken in Committee on the Whole, was on Mr. Randolph's third resolution, which I have just read, and it was adopted on motion of Mr. Pierce Butler of South Carolina: six States voting *aye*, the State of Connecticut *no*, and the State of New York equally divided. Thus was deliberately laid the foundation for our present Government, on a "*National,*" as opposed to a "*Federal*" plan.

I will not weary you, sir, nor the Convention, by referring to the numerous other proofs of the same sort which the Debates of the Federal Convention afford. I desire, in this connection only, to allude to one or two others. It will be found that the "Federal" party in that body, (as those were called who wished to preserve the confederate basis by establishing only a stronger league or treaty between the States) adopted a plan which was embodied in a series of nine resolutions submitted on the 15th June, by Mr. Patterson, of New Jersey. The "anti-Federalists" adhered to Randolph's resolutions as their basis for a National Government. The latter were reported back without alteration, by the Committee of the Whole, (by 7 States to 3, and Maryland divided,) on a direct vote between the two plans; and on comparison of the original resolutions with the Constitution itself as finally adopted, the identity in principle and often in language, cannot but be observed.

The "Federalists" opposed the Randolph scheme by every argument, and among others by one analogous to the remark of the gentleman from Marion—"that the Convention held only the office of a scrivener." It was urged that they had no power to propose a plan of government entirely different from that of the confederation. The answer was—"the *fiat* is not to be here [in the Convention] but with the people." They admitted, as I admit, that they performed the office draftsmen merely: but they held, as I hold, that the Constitution they proposed, if and when adopted by the people, was thenceforward the people's act and deed.

Again, turning to the debate of June 19th, (*Debates* p. 206) I find a long and able argument by Mr. Madison against the "Federal" plan, in which he brings up the precise doctrine of the law of nations, which was brought forward by the gentleman from Marion. (Mr. Redd.)

> "If we consider the Federal Union [says Mr. M.] as analagous, not to the social compacts among individual, but to the conventions [leagues] among individual States, what is the doctrine resulting from these Conventions? Clearly, according to the expositors of the law of nations, that a breach of any one article by any one party leaves all the other parties at liberty to consider the whole convention [compact] as dissolved, unless they choose rather to compel the delinquent party to repair the breach."

This is just the doctrine which the gentleman from Marion wants us to apply to our present Constitution; and the difference between Mr. Redd and Mr. Madison is, [as will be seen by reference to this debate,] that the latter earnestly opposed and helped to defeat Mr. Patterson's plan, because it might be liable to the very construction which my opponent now seeks to put upon the one adopted in its stead.

Besides Mr. MADISON, whom I especially quote, because of his well known political position, we find, in the express declarations of others of the most influential members, the strongest evidence that the change from a federal to a national system was the great feature of the work performed by the Convention. The questions of representation, of taxation, of apportionment, of the constitution of the National Legislature, and so on, which were long and warmly debated, really turned in great part upon the questions involved in this change. But I cannot longer trespass on your patience on this head.

The Constitution being formed, it was reported to the Congress, and afterwards submitted for ratification to Conventions of the people, called for the express purpose, in the several States. I must here again differ with the gentleman from Marion. I find that even in the State of South Carolina, then, as now, the least democratic of all the States, the proposed Constitution being first submitted to the Legislature, was debated and considered by them, but was ratified and adopted by a *Convention*, called for the purpose from the people.

Mr. REDD. I would ask the gentleman from St. Louis whether he denies that a State may act through a Convention?

Mr. HITCHCOCK. No, sir, I do not deny that—I say nothing about that proposition. I simply make the point that the Constitution was not ratified by the States as such, but on the contrary, was ratified by Conventions,—as near as they could get to the *people:* and that it was with the express idea that it was the people of the several States, who were acting and ratifying it, that the Conventions in the States were called.

And just here I would notice an expression frequently used in my opponent's argument:—he denied "that the Constitution was formed by the people of the United States *as one community.*" If by that he means that the whole people of all the States did not *in one body* adopt it—nobody says that they did. On the contrary, it is manifest that no matter what its effect *was to be* in bringing them all into one nation, they were obliged to vote upon it separately in the States, for the reason that until it had been adopted, they were the people of thirteen independent separate, sovereign States, and, of course, acted separately as such, in ratifying and adopting it.

I turn now, for a few brief references, to the debates in one or two of the Conventions held to ratify the Federal Constitution in the several States. I refer especially to that of Virginia, because on this "question of fact" which the gentleman has made, I want to go right to the strongholds of the States Rights party, and show how their fathers regarded the questions.

First, however, I read from the debates in the Massachusetts Convention, (2 Elliot, p. 55,) the words of RUFUS KING:

> "The introduction to this Constitution is in the words, '*We*, the people,' &c. The language of the Confederation is, 'We, the States,' &c. The latter is a mere Federal Government of States."

In the New York Convention, Chancellor LIVINGSTON remarked: [p. 214 Ib.]

> "A Republic might very properly be formed by a league of States; but the laws of the general Legislature must act and be enforced *upon individuals.* If we examine the history of Federal Republics whose legislative powers were exercised only in States, in their collective capacity, we shall fine in their fundamental principles the seeds of domestic violence and consequent annihilation. This was why I thought the old Confederation would be forever impracticable."

In the Pennsylvania Convention, Mr. WILSON, who had been a member of the Federal Convention, and bore a prominent part in the debates, said:

> "The leading principle in the politics, and that which pervades the American Constitution is, that the Supreme power resides in the people. This Constitution, Mr. President, opens with a solemn and practical recognition of that principle: 'We, *the people of the United States*, in order to form, &c , &c., do ordain and establish, this Constitution," &c., &c. It is announced in their name—it receives its political existence from their authority; they ordain and establish —[Ib. p. 434.

Again, this same Mr. WILSON used the following clear and striking language.—[2 Elliot's Debates, p. 443.]

> "When the principle is once settled that *the people* are the source of authority, the consequence is that they may take from the subordinate governments powers with which they have entrusted them and place those powers in the hands of the General Government, if it is thought that then they will be productive of more good. They can distribute one portion of power to the more contracted circle, called *State governments;* they can also furnish another proportion to the government of the United States Who will undertake to say, as a State officer, that the people may not give to the General Government what power and for what purposes, they please? How comes it, sir, that these State governments dictate to their superiors—to the majesty of the people? When I say *the majesty of the people*, I mean the thing, and not a mere compliment to them. The honorable gentleman went further, and said that the State governments were kept out of this Government altogether. The truth is—and it is a leading principle in this system—that not the States only, but the people also, are here represented. I have no idea that a safe system of power in the Government sufficient to manage the general interests of the United States, could be drawn from any other source, or vested in any other authority, than that of the people at large, and I consider this authority as the rock on which

this structure will stand. If this principle is unfounded the system must fall.”

Is that, sir, the argument of a man who believed the Federal Constitution a compact between the States, as such? A more clear and admirable exposition *in a few words, of the theory both of* the source and distribution of power, upon which our fathers acted, I have not had the fortune to meet: and it will be observed that this argument was made by a member of the Federal Convention, *in a State Convention, called to debate and ratify* or reject the new instrument of which these declarations were made.

If we turn to the debate in N. Carolina, where the Constitution was at first not adopted by the Convention, we find the same question raised as to the introductory clause—“We, the people, &c,” and also the objection raised that the Convention had no right to use those words.

In the South Carolina Convention, Mr. Pinckney and others fully and ably indicated the principles of the proposed Constitution, and we find nothing to justify the theory that either its friends or its foes supposed it to be a *league* or *compact* of States, but the contrary.

I can only refer to the debates in the Virginia Convention, in which Patrick Henry headed a determined opposition to the Constitution, on the ground that it utterly destroyed the sovereignty of the States. Listen to such passages as these, from his speech in the opening debate:

> “That this a consolidated government is demonstrably clear; and the danger of such a government is to my mind very striking. I have the highest veneration for these gentlemen; but, sir, give me leave to demand, What right had they to say—“*We, the people?* Who authorized them to say, *We, the people*, instead of *We, the States?* States are the characteristics and the soul of a confederation. If the States be not the agents of this compact, it must be one great, consolidated, national government, of the people of all the States.”

To this appeal, Gov. Randolph no less clearly replies:

> “The gentleman inquires why we assumed the language of “We, the people?” I ask, why not? The government is for the people, and the misfortune is that the people had no agency in the government before.”

And Mr. George Mason, objecting to the proposed Constitution, said:

> “Whether the Constitution be good or bad, the present clause clearly discovers that it is a national government, *and no longer a Confederation*. I mean that clause which gives the first hint of the General Government laying direct taxes. The assumption of this power of laying direct taxes, does of itself entirely change the confederation of the States into one consolidated government.”—(3 Elliott, pp. 22, 28, 29.)

Is any clearer proof needed than this as, to what was thought in the Virginia Convention of the nature of the new Constitution, both by its friends and foes? But hear PATRICK HENRY, again:

> “The fate of this question, and of America, may depend on this. Have they said, *we, the States?* Have they made a proposal of a compact between the States? If they had, this would be a confederation. It is otherwise most clearly a consolidated government. The question turns, sir, on that poor little thing—‘ We, the *people*, instead of the *States*, of America.’ ”—(p. 44.)

I will not weary the Convention, Mr. President, by reading more at length. Certainly these extracts show beyond all dispute that whatever might be thought of its merits, the advocates and the opponents of the Constitution alike agreed in *“the fact”* that it did not create a confederation—that it was not a compact—that it did not act either through or upon the States, as such, but upon individuals—that it was to be ratified by and emanate from, and operate upon, THE PEOPLE OF THE UNITED STATES. On this ground it was attacked by those who were jealous for State Rights and State Sovereignty. On this ground it was defended by those whom the bitter experience of the past and the portentous dangers of the present had convinced that in a national government alone was there any hope for the future: and in my opinion, no candid man can faithfully read those debates without being convinced that so far as the evidence they afford is concerned, the instrument they related to was in no sense intended or adopted as a compact between sovereign States. I desire to refer to but one other piece of cotemporary evidence, and that is in the language of the *form of ratification*, read and agreed to and adopted by the Virginia Convention, as follows:

> “We, the delegates of the people of Virginia, duly elected, &c., &c., do, in the name and in behalf of the *people of Virginia*, delare and make known that the powers granted under the Constitution, *being derived from the* PEOPLE OF THE UNITED STATES, be resumed by them whensoever the same shall be perverted to their injury or oppression,” &c., &c.

You observe, sir, *“derived from the people of the United States?”* And this is the declaration not of the sovereign State, but of the people of Virginia, as part of the people of the United States. Can a negative be more clearly shown than by this exclusion of all talk of State action or State sovereignty?

So much, Mr. President, for the “question of fact,” outside of the Constitution itself. But as I have repeatedly said, it is in that instrument that we should look for the best evidence of its nature. Suffer me, then, to deduce some considerations from its language and true meaning, to show still more clearly that it is not a compact between the States. Of course, in doing so, I shall have to go over ground which has been gone over many times before. It would be very strange if I could hope, on so momentous a question as the theory of this Government, to present any views which should be new or original. It would be strange if, in the history of parties and of the country, this question had not long ago been probed to its depths. Every man who hears me knows that it has been thus explored; that this arena of political debate has been the battle-ground of the greatest parties, and upon which have met in fierce conflict the ablest minds of the nation. Yet, I desire, in this connection at least, to remind you of the grounds on which it is contended that we are united as one people by a Constitution and not as States by a compact, treaty or league—the irrefutable arguments, as I consider them, drawn from the instrument itself.

Is it not strange, Mr. President, if the statesmen who framed that instrument, knew not the meaning of the words they used? Shall we say that those men, patriotic, wise, skilled in all the practical exigencies of statesmanship; rich in the experience of trial and adversity; and who—as the debates amply show—did spend hours and days discussing a single phrase, nay a word, in all its meanings, not from any captious spirit, but because they felt deeply what tremendous consequences might hang upon a word—that these men did not know what their own words meant, or did not mean what those words express? Is not the question inevitable—if they meant to make a compact, why did they not say *compact?* Why did they not use the word *league* or *confederation*, or *treaty*, or *alliance*? The first two of these words were used in the old Articles of Union—why were they left out in the new? Sir, read that preamble over, and look at what it does mean—every clause, every word of it.

> "We, the people of the United States, in order to form a more perfect Union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America."

There is a world of meaning in every clause.—Surely, sir, the men who signed that instrument, as they looked back over the troubles through which they had just passed, and the still more threatening difficulties and anxieties which in so few short years after peace was declared had rapidly arisen, difficulties so great and anxieties so pressing as not even the struggle of the Revolution had equalled—think you they did not weigh their words, or that they meant nothing by that comprehensive preamble? Look at its declaration of the purposes to be achieved.

To form a more perfect Union—was there no need of this, when under a "compact of Sovereign States" they saw already bickerings and jealousies rife, contests about lands, conflicts in legislation, trade driven off by the laws of one from the ports of another; angry complaints exchanged between stubborn State Executives, and the central authorities powerless to control, or pacify, or remedy?

At this very time we learn that the question of the navigation of the Mississippi was adjourned over by the Congress, in order that the new Government might dispose of it—the people of Kentucky determined at all hazards that it should be secured, while in some of the Eastern States it was even proposed that it should be relinquished to Spain.

To establish justice—among States which openly passed laws violating contracts, and *ex post facto* laws, and bills of attainder; of which last a cruel instance was mentioned in one of the Conventions, whereby the life of a citizen was taken without even the form of a trial: to say nothing of the paper money of Rhode Island, the worthless currency of the Confederation itself, and the laws of more than one State, making property a legal tender.

To insure domestic tranquility—at a time, (1787) when the alarm caused by Shay's rebellion hardly yet quieted in Massachusetts, was so great that it is mentioned as almost the chief reason which compelled Washington *himself, in spite of* resolutions long formed, to end his days in quiet at his home in Virginia, to come forth from his retirement and take part in the Federal Convention. It is a striking comment on the inefficiency of the Confederation, that desiring to aid Massachusetts in quelling that formidable outbreak—itself the result, in part, of bad legislation and oppressive taxes—but having no authority to raise troops for such a purpose, the Congress authorized troops to be raised to protect the Western border from the Indians, of which four *regiments were to be raised in Massachusetts*, for the real purpose of over-awing the rebels.

To provide for the common defense—a thing that had never been done save under the stern necessity of actual war, and even then, under difficulties and at sacrifices which history clearly shows.

To promote the general welfare, and secure the blessings of liberty to ourselves and our posterity. Let us read these words with care. The blessings of liberty, the last and greatest object to be secured! Ah, sir, is there not something prophetic in this? Is there not something to which we may well recur now, when the same dogmas of State pride and the same unyielding jealousy of State rights—I say it in no offensive sense—when the views of those who seem to forget that it is the destruction of the whole people to insist upon the rights or exclusive demands of any part of it, are so rife among us? Is there *not* an echo of prophetic and melancholy warning in these words for us, when the same sentiments which had almost brought those States into armed collision, and which were calling forth the deepest anxiety and lamentations of patriots, are now rearing among us, unchecked, their horrid front? Is there no solemn admonition to us, that if we give up the glorious Union, which they thus builded—if, in spite of the experience of those States, we rush back into the very vortex from which they were then struggling to emerge, we must give up not only the prosperity, but the honor, the peace, the liberty itself which they bequeathed to us, in exchange for anarchy and strife, and the burdens of a military despot's rule?

Well, sir, they did "ordain and establish the Constitution of the United States." But why *ordain* and *establish* a compact? A compact is an agreement. You may make an agreement, but is an agreement an ordinance? You and I may make an agreement: two or more States may make an agreement—a treaty—a league: but why talk of *ordaining* it? Those words are not without significance. They are the words of fundamental law. They are not used in diplomatic language. "We, the high contracting powers, do mutually agree," is the language in treaties. But here—if it is nothing more than a compact, as has been argued—we find a compact ordained and established. Ordain and establish a treaty! No, gentlemen, that cannot be. They "ordained and established a CONSTITUTION,"—a word which is as distinct in its meaning as any word in the English language. The State of Missouri has a Constitution—what is that? Does that mean a compact between the counties of the State? The gentlemen who take this view are very unwilling to give this word that significance, when they come to apply it in that direction. The Constitution is the fundamental law, and this Constitution answers every requisite and every description of a fundamental law. It is supreme—the supreme law of the land—anything in the constitutions or laws of any of the States—*sovereign* States, gentlemen—to the contrary, notwithstanding.

And why is this? Is there any conflict there? Not at all. It is not that the Constitution of the United States overrides in fact the Constitution of the States, but that, if through any misgovernment or usurpation, or unwillingness to carry out this fundamental law, a State should incorporate something in its Constitution which the National Constitution forbids, it should be void—because in so doing the State authorities would have passed beyond the limits assigned to them—assigned to them by the same people who assigned *its* place, its permanent relations to the Constitution which governed them all.

Look at the attributes of the Government. A compact is an agreement. You and I make an agreement. What does that mean? Yes, what does that mean? An agreement is an abstract term. It is nothing more than a description of the fact that you and I have mutually undertaken, one to do this thing and the other to do that thing, or the opposite. There is no third person, no body politic incorporated by the agreement; and according to the test applied to it, which is perfectly legitimate, if you don't do this, I don't do that. And so that is the nature, and the office, and the end of an agreement, no matter between whom it is made. Now, does any gentleman say that our National Constitution is such an agreement? Have we not been in the habit of supposing that there was actually a Government of the United States, and have we not been applying to it that name? Have we not had an idea—a fancy, for a good many years that that glorious ensign which is displayed over this platform meant something? And what was that meaning? Was it that we are merely a collection of States, a conglomeration of sovereignties, held together on the abstract idea of a compact? No. It means one nation—one and indivisible. That nation holds a power which that confederation did not. That nation has the supreme power of peace, of war, of levying taxes, of collecting revenues, and of administering to the welfare of all its component parts. No community in it can make peace or war, nor exercise any other general control. It is an actual body politic, with a will of its own, and a brain of its own, and whose life blood pulsates through the great heart of a mighty people. It is not the agent of the States, for the simple reason that it does not obey them or any one of them. They obey it when there is any conflict. And yet can it be said that this nation, which we are considering is a metaphysical entity, a compact—is it on a compact that you can have all these powers and exercise all these rights?

We find, then, that this Government was created for the purpose of meeting certain definite evils; that the experiment of a compact had been fully tried by the Confederation; that it resulted in failure; that these evils were pointed out, and the deliberate intention expressed of remedying them in the only way in which they could be remedied. It is this consolidated government that Patrick Henry so bitterly inveighed against, and in which his fancy led him to see all the evils and attendant horrors of tyranny. Yet Patrick Henry lived to see its practical application in peace, and dignity, and strength, and countless blessings of freedom to all who lived under it.

I know perfectly well the answer made to all these arguments. I know that the more clearly the nature of our Government is demonstrated, the more alarmed some men become. It is perfectly true that the State Governments under the Constitution, do not retain their independent sovereignty. It *ought* to be true, for the simple reason that we find that when they *did*, they were worse off than if they had no Government. We find that, before they could be brought to unite in forming this Government, they had to go through a bitter experience, which enabled them to appreciate alike its necessity and its blessings. But their experience since then! Is it not, sir, the most ample, the most forcible refutation of the dolorous prophecies in the Convention which formed our Constitution? We find that, whereas less than six years of the existence of the Confederation, demonstrated it to be an utter failure, and a failure because it was a Confederation and nothing more—we find that seventy years of this consolidated Government—this tyrannical Government, as it was represented to be—this Government that was to swallow up all State sovereignty—have proved it to be a glorious success. We find that, for seventy or eighty years, it has remedied the evils, obviated the dangers, avoided the perils, which that Confederation utterly failed to obviate or avoid. Is not seventy years of experience an answer to the arguments urged against it? And would not the gentlemen who argued against it then be now more than satisfied to find their predictions unfounded and their fears without reason? Would they not today fear not so much the Federal Government as the States themselves?

This is still a Government of the people. It is the same people who have made a Government for this purpose in one form and for another purpose in another. It is not two distinct and opposing Governments, but one Government, made by the same people, and both springing from the same popular authority as their source. I have heard it stated that we are not one people, but many peoples. It is by just such fallacies as this that I have seen people so mislead that they talked as though there were two hostile powers, arrayed one against the other. Why, we are parts of the same nation. We are constituted one like another. If we in Missouri want to change our State Government, we take the proper means to do it; and if we want to change the Constitution of the United States, we take the proper means to do that.

But it is argued that if you have to go to the whole people to change the Constitution, it can hardly be done. Well, the answer to that is, that if it is difficult and dangerous to change the Federal Constitution in order to remedy an evil, it is ten thousand times more dangerous and ruinous to undertake to remedy the evil by secession. There is a practical evil on the threshold, and which even those who contend for the right of secession admit in their argument. But is it true—do you believe it to be true, that a reasonable demand, a reasonable necessity, on the part of any portion entitled to the respect of the people of the people of this country, pressed upon the other portions, would be refused? The present crisis is no argument that it would be refused—for we know that this crisis has been brought about with the intention of not giving the opportunity to make that trial. I desire to call no hard names. But every man who hears me knows that the great feature in this crisis is that in accordance with the deliberate design of bad and ambitious men, announced long ago, the Cotton States have been "precipitated into revolution." Now let us ask ourselves as honest and candid men, whether we have not a better mode of meeting all these difficulties than Secession? I imagine that we have, and that we are all satisfied that we have.

I do not propose, Mr. President, to discuss other questions naturally arising out of this great subject, nor even to meet other objections which I know have been made. They have been made before and answered before, and no man who is familiar with the political history of this country, will be at a loss to know the treasure-house whence I have drawn many of my arguments. I have not the presumption to claim them as original.

But I desire to add this further remark. Our whole system of free representative government, county, State and National, rests upon the truth of two propositions. Those propositions are,

First, That there is, in fact, a sufficient common interest in the community to induce them to act together, and to unite upon a basis of mutual protection and mutual forbearance. This latter is what is called "Compromise," in the true and proper sense—a compromise of rights, and of policy and of interests. When it comes to compromising principle, I prefer to give that a different name.

Secondly, That upon this fair and just basis of common interests, *the people may and ought to be trusted.*

Upon these two fundamental propositions I take it that all free governments, yes, the possibility of any free government, rests. If these be true, they find their highest and most beneficent expression in the Constitution of the United States. If they are false,—then all free government is impracticable—the dearest hopes of humanity are a delusion and a snare—and all our efforts and the life-struggles of patriots everywhere are but ruinous experiments, to be washed off from the pages of the world's history at the end, in tears and blood. Fellow citizens of Missouri—do you believe that *this* is true? Will you assent to a doctrine which can lead you to any such conclusion?

There were other propositions advanced by the gentleman from Marion, which I should have been glad to notice. But I have sought only to present, and I have done so imperfectly enough—the leading historical points in relation to his "question of fact," with the fair deductions from them There were other statements which if I had time I should be glad to answer. There were admissions, too, which somewhat surprised me.

For instance, in his catalogue of the grievances of the South, he complained of wrongs on the part of the Federal Government. At the same time, he condemned the acts of the seceding States, as without sufficient cause or justification. Now, I could not but remember that not long since a gentleman addressed this Convention, in the character of Commissioner from the seceding State of Georgia, who justified her act of secession, and invited Missouri to join in it. Yet that Commissioner begun with the distinct avowal that the State of Georgia did not complain either of the Federal Constitution, nor of any act of the Federal Government. I could not but admire the magnanimity of my friend from Marion (I hope I may call him such) in this, that while he believed the wrongs of the South to be even greater than those of which the Commissioner from Georgia complained, yet he was willing to stay in the Union. I take this to be proof of his genuine devotion to the Union after all, and I am sure that he who has that feeling, when he comes to consider, both from the teachings of history and the deductions of reason, that this Union was made to escape the very perils which they are rushing into, he will also find that devotion to the Union is the best opposition that can be offered to all such political heresies as I consider the right of secession to be.

I do not propose at this time, Mr. President, to offer any remarks upon the report of the Committee on Federal Relations. I will simply say that as a whole, I approve the Report, though there are some things in it which I should prefer to see altered. I should be glad to state some objections which I have to portions of it, and also to some of the resolutions. But I content myself now by saying that it is a "Union Report," presenting no *ultimatum*, uttering no threat, seeking to maintain the dignity of Missouri in an attitude of peace. And I shall express my sentiments by my vote.

This amendment, sir, I earnestly trust the Convention will not adopt. It looks towards nullification; it certainly may be construed to be a threat; it seeks to pledge us to a course of action in an indefinite future; and it anticipates trouble without just or manly grounds. Now if it were liable but to any one, instead of all these objections,—had we not better let well enough alone?

I desire nothing more, sir, in this whole matter, than that our action and expression shall be such as to command the respect and admiration of all parts of this country. I need not repeat the arguments which should move us in view of our position and true interest. I need not remind you of the resources of Missouri, of her magnificent future, of her central position in this valley, and in the heart of this continent, destined to be the pathway of the commerce of the world. All these considerations appeal to us to remain in the Union. Yet, sir, it is not to these that I would point, I would not desire to base our action upon any advantage which this or that policy might secure. I should scorn to advocate any measure on this floor on a basis of policy merely. Let us look deeper—let us aim higher. Now, more than even in the history of this State, does it behoove us to see clearly, to judge patiently, honestly, wisely, of our true relations to all with whom we are connected, and to take that course which loyalty and duty shall point out. Well may we, each one of us, recall the touching language of the President: "You have no oath registered in Heaven to destroy this Government." Nay, sir, we too have taken a solemn vow to support and protect it. We can best fulfill that vow, as we all desire to do, by showing that neither the blind impulse of passion, nor the sinister persuasions of those who—whether from intention or misunderstanding their position,—have done wrong—that no such persuasion can mislead us: by showing that we know and will respond to our duties to our common government: that in true and loyal and patriotic allegiance, come what will, we will be faithful to the Constition that has so long protected us: and that as a portion of the people of the United States, we will demand and insist that the government of this people be preserved for this people,—amended, if need be, by this people,—but that destroyed and ruined it shall not be.

I know, well, sir, that this position will be taken, and these views advocated by tongues more eloquent than mine. Yet I am rejoiced to bear even this humble testimony in its behalf.

Mr. Dunn, of Ray. Mr. President and gentlemen of the Convention: Before the vote shall be taken on the amendment offered by the gentleman from Clay, (Mr. Moss,) to the fifth resolution, reported by the Committee on Federal Relations, I desire to call the attention of the Convention to the precise nature and character of that amendment. It will be seen by a careful examination and comparison of the resolution and amendment, that there is a perfect harmony between them, and that the amendment gives to the principles enunciated in the resolution, a more specific application, and carries them to their proper logical conclusion. The resolution is as follows:

"5. *Resolved*, That, in the opinion of this Convention, the employment of military force by the Federal Government to coerce the submission of the seceding States, or the employment of military force by the seceding States to assail the Government of the United States, will inevitably plunge this country into civil war, and thereby entirely extinguish all hope of an amicable settlement of the fearful issues now pending before the country; we therefore earnestly entreat, as well the Federal Government as the seceding States, to withhold and stay the arm of military power, and on no pretense whatever, bring upon the nation the horrors of civil war."

The resolution condemns the employment of military force by the Federal Government, to coerce the submission of the seceding States, and condemns the employment of military force by the seceding States to assail the Government of the United States, assigning as a reason for such condemnation, that the employment of military force by either party, for such a purpose, would plunge the country into a civil war, and thereby extinguish all hope of an amicable settlement of the fearful issues now pending before the country; and both parties are entreated to withhold and stay the arm of military power, and on no pretense whatever, to bring upon the nation the horrors of civil war. The amendment is as follows:

Amend the fifth resolution by adding:

'And further believing that the welfare of Missouri depends upon the peaceable adjustment of our present difficulties, she will not countenance or aid a seceding State in making war on the General Government, nor will she furnish men and money for the purpose of aiding the General Government in any attempt to coerce a seceding State."

While the resolution, in effect, declares that the welfare of the whole country, depends upon the preservation of the peace, and the amicable settlement of the fearful issues pending before the country, the amendment gives to that declaration a specific application, by asserting that the welfare of Missouri depends upon the peaceable adjustment of our present difficulties; and while the original resolution condemns in strong language the employment of military force by either party against the other, the amendment draws the proper conclusion from the principles contained in the resolution, and says that Missouri will not countenance or aid a seceding State in making war on the General Government, nor will she furnish men and money for the purpose of aiding the General Government in any attempt to coerce a seceding State. The resolution condemns as wrong, the waging of war by either party against the other, and earnestly entreats both parties to withhold the arm of military power ,and the amendment pledges Missouri not to countenance, aid or participate in doing, what the resolution denounces as wrong.

I am astonished at the objections that have been raised against this amendment, by many who have participated in this discussion. It seems to be greatly misunderstood by those who are opposing it. It has been charged as a secession movement. If the resolution contains good Union doctrines, and this no one controverts, the amendment is not only free from the taint of secession, but is more strongly Union than the resolution.

Let the amendment be analyzed, and it will be found to contain three propositions, and but three; and I challenge any member on this floor to present a substantial objection to either of the propositions. It asserts, first, that the welfare of Missouri depends upon the peaceable adjustment of our present difficulties; secondly, that Missouri will not countenance or aid a seceding State in making war on the General Government; and thirdly, that Missouri will not furnish men and money for the purpose of aiding the General Government, in any attempt to coerce a seceding State. This is the whole extent of the amendment. If the resolution which in effect makes the destiny of the nation depend upon the amicable settlement of the fearful issues now pending before the country be true, it is especially true that the welfare of Missouri, which is an integral part of the nation, and which, from her geographical position, would, in the event of a dissolution of the Union, be a frontier State, depends upon the peaceable adjustment of our present difficulties. As Missouri would suffer more than any other State from a final dissolution of the Union, so her welfare is more deeply involved than that of any other State, in preserving the Union by a peaceable adjustment of our national troubles. But I will not elaborate this position, because it has not been seriously controverted. The second proposition contained in the amendment is, that Missouri, will not countenance or aid a seceding State in making war on the General Government. Presuming that no member on this floor would be willing that Missouri should join the seceding States in making war upon the United States, I cannot imagine what possible objection can be taken to this position in the amendment. If the United States should wage a war of conquest against the seceding States, this part of the amendment leaves our State perfectly free to determine whether she will do as Virginia, North Carolina, Tennessee, and Kentucky, stand pledged to do, and that is, to make common cause with the seceding States, and resist the invasion; or, whether she will retain a neutral position. "Sufficient for the day is the evil thereof." I hope that no such issue may ever be made; but if it should be, I trust we will meet it as becomes men and patriots. The last position taken by the amendment, is the one against which the principal objections have been made. And I ask if there is a member of this Convention who thinks that the General Government ought to coerce the seceding States into submission? No one has been bold enough to avow himself a coercionist. No coercionist can, consistently with his position, vote for this amendment. And if any member on this floor regards it to be the duty of the General Government to employ military force to coerce the seceding States into submission, such a member could not support the resolution reported by the Committee on Federal Relations, and if he would regard it to be the duty of Missouri to furnish men and money to aid in attempting such coercion, he cannot vote for this amendment. There is, however, nothing in this last clause of the amendment which will preclude Missouri from defending the General Government, if the seceding States should wage a war upon the General Government.

A prominent objection to the amendment is, that it pledges Missouri against aiding the General Government in enforcing the laws. Military coercion against the seceding States for the purpose of subjugating them, is a very different thing from enforcing the laws. Neither the resolution nor the amendment pledges the State to any thing in regard to the enforcement of the laws. That is left to be determined by the provisions of the Constitution. But to prevent any misunderstanding of my views in regard to the enforcement of the laws, I will say what every one acquainted with the theory of our Government must recognize as true, *that the military power of the Government can only be brought to the aid of the civil authorities* in enforcing the laws, when the civil authorities, without such aid, are not strong enough for the purpose. The military power of the Government is placed by the Constitution in subordination to the civil power. The laws cannot be enforced, constitutionally, by mere military power. Where there is no civil officer, to call in the aid of the military power, the enforcement of the laws by military force would be palpably unconstitutional. And as there is not a single officer in the seceding States, holding a commission under the Government of the United States, the Government has no constitutional authority to send an army into those States to enforce the laws. To do so would be to trample the Constitution under foot. This is true in regard to the enforcement of the laws in those States, and to the collection of the revenue at the ports. If a county or district in this State were destitute of civil officers, Gov. Jackson could not, without a violation of the Constitution, send a military force into such county or district to collect debts, try criminals, and enforce the laws. An army cannot be marched into the seceding States under the pretext of enforcing the laws, where there is not a solitary civil officer of the United States, without a clear violation of the Constitution.

The provision of the Constitution of the United States, authorizing the militia to be called out to repel invasions, has been read and relied upon, as a means of getting an army into the seceding States. It cannot be supposed that the wise and patriot framers of the Constitution in clothing the Government of the United States with authority to repel invasions of the States, thereby designed that the Government of the United States should itself have the power to invade a State with an army for the purpose of subjugating it. To take the hypothetical case, so forcibly stated by my colleague from Clinton (Mr. Birch,) if a foreign army should be landed in South Carolina to conquer that State, the Government of the United States would, under the power to repel invasions, have a constitutional right to march an army into South Carolina and repel the invaders. But it does not logically follow from this, that the Government of the United States could, constitutionally, send an army into South Carolina to subjugate that State. The employment of military force by the General Government to coerce the seceding States into submission, is unconstitutional, and we ought to be willing to pledge Missouri not to furnish men or money to aid in violating the Constitution.

It cannot be that this Convention, a majority of whose members were born in the States of Virginia, Kentucky, Tennessee and North Carolina, with the fact staring us in the face that these States are already pledged to unite with the seceding States in resisting military coercion, if it should be attempted by the General Government—it cannot be, that those of us who hail from those States—it cannot be that any member of this Convention, would be willing to involve Missouri in the suicidal act of aiding the General Government in an attempt to coerce the seceding States. It would be a mere attempt. Disaster and ruin would be the result. The Northern invaders would be driven back. A civil war more bloody than any recorded in the pages of history would follow. Instead of coercing the seven seceding States into the Union, eight more States would be forced out of the Union. The whole country, North and South, would be drenched with fraternal blood. I am unwilling to engage in this fratricidal strife.

But suppose coercion should prove successful. Suppose the invaders should succeed in bringing the Southern States back into the Union, as conquered provinces. This would not be the Union established by our forefathers. A military despotism, the worst form of government, would be established upon the ruins of the Constitution. Let us test the soundness of the principles enunciated in this amendment, by considering the effect of their adoption by Missouri, and by all the States. Civil war would then be an impossibility. And being relieved of all apprehensions of having our efforts to save the Union blasted by the inauguration of civil war, we could confidently hope for the adjustment of all our troubles.

But some gentlemen have said that there are no troubles to settle, that nobody is hurt, and that our grievances are imaginary. The Union cannot be saved by ignoring the startling events of the last few months, and crying peace, peace, when there is no peace. The fierce storm that has precipitated seven States out of the Union, will, if it be permitted to rage on with unchecked fury, destroy our Government. It must be allayed, or a dissolution of the Union is only a question of time. I do not envy the man who, in times like these, can fold his arms and say that nobody is hurt. We are all hurt. We are hurt by the financial ruin consequent upon our national troubles. We are more deeply hurt by the loss of seven of our sister States, the blotting of seven stars from our flag. You might as well say that a father is not hurt by the loss of beloved children, as to say that a patriot is not hurt by the loss of seven States from the Union.

The Union cannot be saved by denouncing the South. And the man who regards the secession of the Gulf States as the *cause* of our troubles takes a superficial view of the subject. Secession is not the *cause* but an *effect*—an effect which I deeply deplore, an effect which ought not to have followed; still it is but an *effect*. The *cause* of our National troubles is to be traced to that anti-slavery party, that disregarding the solemn warning of the father of his country against the formation of geographic or sectional parties, has, in the late Presidential election, obtained the control of the General Government. It is the propagation of the unconstitutional dogmas of this sectional party that has brought our troubles upon us.

If, as has justly been said, the mission of Missouri is to act as mediator, in the peaceable adjustment of our national troubles, let us make our action effective. Let us take our position in favor of the Crittenden amendments to the Constitution of the United States. Let us appeal from the decision of the leaders of the dominant party in the North, to the people of the United States. I confidently believe that success will crown our efforts. The Union must be preserved. This cannot be done by a surrender of our constitutional rights. The Constitution is the bond of Union, and it is the instrument by which our most important rights under the government are secured.

The Union of the States, like the matrimonial union, was founded in mutual affection, mutual dependence, and mutual interest. The patriotic men who formed our glorious Union had passed together through the fiery ordeal of the Revolution, and cherished for each other a strong affection, and if the mutual affection of the different sections of the Union has been impaired, that mutual affection must be restored. If the matrimonial union should be endangered by the loss of the affection which led to its formation, the restoration of mutual affection is the only means of securing the blessings which that union was designed to secure. There is another point of analogy between the union of the States and the matrimonial union—*there must be no coercion* in either case. If I had been blessed with a daughter, she should not marry a coercionist, lest he would chastise her.

Let us settle our national troubles amicably, upon a basis that will secure to us our constitutional rights, and when fraternal feeling shall be restored, let us turn to the seceding States, and say to them, "Behold how good and how pleasant it is for brethren to dwell together in unity." We may win them back by justice, by moderation, and by the firm establishment of our constitutional rights. The preservation of the peace is necessary for the preservation of the Union. The amendment of the gentleman from Clay is a better peace measure than the resolution of the Committee, and, as a Union man, I will give it my cordial support, and I hope that all true friends of the Union will vote for the adoption of the amendment.

Mr. Allen. I do not propose to make a speech. I will ask the Judge one question, before my remarks, so that I may enlighten some of my friends on the right. I did not understand him exactly with reference to his daughter marrying a coercionist. Does he mean to imply that he would be in favor of her marrying a secessionist?

Mr. Dunn. I don't want her to marry a coercionist, nor a secessionist, nor a submissionist—I want her to marry a man who is sound on the Union question. [Laughter.]

Mr. Allen. With this explanation I will proceed. We have had quite a number of speeches, and I should not have got up and said anything myself, but from the fact that my friend from Ray has rather called out his friends from North Carolina, Virginia, Kentucky and Tennessee. I happened to be born and raised in Tennessee, near Kitt Billett's mill, [Laughter,] and I felt it was proper I should make a few remarks in answer. My friend seems to think that it is indispensible that we should vote for this amendment. He seems to think that upon it depends whether we shall be hastened into an interminable war or not. I have not so viewed this subject. Although I am one of those Southern gentlemen to whom he refers, I had made up my mind, soon after reading the majority report, that I should vote for that report, because it was conceived in the right kind of spirit; it breathes a conciliatory fraternal spirit.

[Mr. Allen here read a part of the report, and said it met his hearty approval.]

Mr. President, that this difficulty has grown out of alienated feeling, that has been gotten up between the North and the South, to a great extent, at least, I venture no person who has looked.

dispassionately at this thing will for a moment doubt. That the Abolition Societies in the North, organized a number of years ago, have excited the people upon that particular subject, and agitated the popular mind, and that political leaders and demagogues discovered that it was an excellent thing to take hold of, in order to be lifted into power, and did take hold of it and fanned the flame until the prejudice of the people in the South became aroused, no one, I imagine, can deny. All these things have been discussed for the last few days, and it seems to me it would be needless for us further to investigate them.

But, Mr. President, we are all American citizens, and in order to accomplish that for which we came here, we must work in that kind of spirit which is indicated in the report, and manifest it to our brethren in the North and the South. It is argued by gentlemen here, that the State of Missouri should take a mediatorial position. I heartily acquiesce in that course. I believe it is the position we ought to occupy, and that our influence should be exerted to accomplish that object.

My friend from Ray tells us that he wants this amendment adopted from the consideration that his particular friend (Mr. Moss, from Clay) has introduced it, and that he would feel perfectly safe to vote for most anything which should come from that gentleman. I do not see any reason why we should vote for a proposition that comes from Mr. Moss, or any other man. If it suits us, we should vote for it. But as to myself, I will say that I shall *not* vote for that amendment. We came pledged here to do, what? To keep Missouri in this Union. That is what nine-tenths, at least, of the members of this Convention were sent here for; and I am satisfied that if any member of this Convention had gone among the people, pledging himself to vote for resolutions that would tend to destroy our connection with the General Government, he would not have been elected. I tell you that the people all over this country, as the gentleman has properly remarked, are anxious about this thing. They have been stirred about this question. Their interests are involved. They desire the speedy settlement of these difficulties, and they think it is wiser to try to settle them *in* the Union than *out* of it. There is no good reason why we should go out of the Union. There is no man who has ever squinted toward secession in the advocacy of this doctrine, that has ever shown one good reason why Missouri should leave the Union. With her geographical position, surrounded as she is by free territory on nearly all sides, it would be madness, and worse than madness, for her to secede. We, sir, take grounds against everything and anything, under existing contingencies, that will have the tendency toward or squint toward our dissolving our connection with the General Government. I know we are for this sometimes called Black Republicans. Well, I never ran for an office in my life. The first political speech I ever undertook to make was last month, when I conducted the canvass for a position in this Convention; and I tell you I am not influenced by political motives at all, and I have no fears about what I am called. I do not ask for political position, nor do I ever expect to aspire to a political position. I do not care what a man calls me, so I am acting according to my best convictions of right and duty to my country. But I may as well say that this way of calling names is having a bad influence. It is calculated to arouse ill feelings. *I* do not call a man a Secessionist, nor a Republican, if he differs with me, when I say that such is the spirit which seems to pervade this Convention in regard to conciliatory measures. We all claim to be Union-loving men. I believe in the proverb that "charity begins at home, and it is due we should be amicably and fraternally disposed toward each other. I first look at my own interests; I secondly look at the interests of my State, and of the General Government; and I am satisfied that, taking that view of the subject, it is largely to our interest to stick on to the Union.

We have had some very long speeches on the constitutionality of secession. We have had a good many speeches on all subjects connected with the matter under consideration. True, some have been very long ones. In listening to them I have been occasionally reminded of the two old ladies that drank coffee together. One of them said it was very good coffee. Yes, said the other, but one has to drink a great deal of water to get a little coffee. [Laughter.] That has been the way with a good many speeches on this floor.

Sir, we talk about coercion and secession and all this sort of thing. Now, I believe it is generally conceded, by most everybody, that there is no constitutional right to secede. It *must* be revolutionary. As far as the doctrine of coercion is concerned, we should deem it to be bad policy. There is no such thing, gentlemen, as coercing the Southern States back into this Union, and keeping them there.—The American people are not of that kind of stuff. You can coax the American people, but you cannot drive them. It is folly, and worse than folly, to talk about it. You might go down and overpower them. You might for a time conquer them and bring them back, but would they stay back? No; they would be like the old hen in the anecdote, that could not be made to sit down, *but would sit a standing.* [Laughter.] This thing has got to be settled upon the principle of compromise, and the American people, if we can get at them properly, are a compromising people. We do not presume, gentlemen, we can get those leaders of the Northern party, who have recently been elected under a political excitement, to abrogate all the declarations made by them during the canvass, and accede to all the demands which are made upon them by a justly discriminating people. But I tell you what we want, and what it is our business here to do. We want to propose some plan to the States upon which we can get a compromise, and can get at the people. We want to speak in terms of expostulation to the North and to the South, and ask them to come up and unite upon a compromise, and make it irrevocable in the Constitution, and settle this vexed question forever, and keep it out of politics. Can this be done? Yes, Mr. President, it can be done. I have not despaired. When I reflect on the intelligence and patriotism of the American people, when I look over this wide country of ours, and see the trouble that is now existing all over her broad bosom, and the depression which has come over all departments of business; when I see the people *feel* this thing; when I see how in the Northern States the manufacturing interest is suffering, and the laboring classes have been turned out of employment, and are starving for bread to-day, I cannot but think that, when we can once get at the masses of the people, they will agree upon a compromise. I have no fears about that thing.

There never was a question in which I took a livelier interest than the question of the troubles that are now afflicting my country. I have laid upon my pillow, and thought seriously upon this matter, and turned it over and over. Situated as we are in the northern part of the State of Missouri, with free Territories surrounding us, if this State should secede, it would bring all the war, all the mobs and raids that I have heard of in Kansas and other places, upon us. We expect we should be robbed of our property—our negroes would be stolen and our houses burnt. Why, sir, if such a crisis as that should come upon us, we should be in ruinous condition. Fancy, if you please, the condition of a man who when he lies down at night with his family, does not know whether all will be well in the morning—does not know but that in the night fiends in human form may visit him and burn him out and run off his property. I rather think if that were to come to pass I should *secede* about that time. [Laughter.] But that would be the legitimate consequence of our disconnection with the General Government. Well, because we talk this way about this thing some say you are going with the Northern Confederacy. I look upon that as an unjust imputation. When I say I am for remaining in the Union, it is not to be inferred that I want to go with a Northern Confederacy. A Northern Confederacy and the Union are two different things. If there should be two confederacies, one a Northern Confederacy and the other a Southern, in that event, being a Southern man and a slaveholder, I would be in favor of casting our destiny with the South. But if this Union can be preserved, I want to stay in it by all means. We don't know what kind of government we are going to have down South. It may be a military monarchy or despotism; and I tell you if we do ever have to leave this Union, before I take that fearful leap I must know what kind of government I am going into.

Now, as far as this amendment is concerned, I am sorry that I have to differ from my friend from Ray. But, then, you know that friends will differ. I see that the amendment differs from the original resolution, yet I think that resolution expresses all that we desire to express in regard to the subject of coercion. Then, again, this amendment, it seems to me, rather tends towards an insubordination to the General Government, and under existing circumstances I will not suffer myself to cast a vote that will have a tendency in that direction. My friend says that if we do not vote for the amendment, we shall have to fight our friends down South. Well, now, I do not believe that the passing of this amendment will prevent that thing, if it depends upon that contingency. I believe if the amendment is the only thing that can prevent it, there will be a fight anyhow. I am inclined to think, Mr. President, that if the General Government does call on us to go down there, and an army of Missourians marches into any one of the States referred to by the gentleman, by the time they got there they would *secede*. I am also inclined to think that, if the President wants to *whip* those fellows down there, he will not take an army from the slaveholding Staes.

We want the proper kind of spirit among the people. We want the return of that spirit which makes one American citizen look upon another as a brother, no matter whence he comes. A little incident occurs to my mind that will illustrate my idea. A friend of mine went to California in 1849, and came back in 1852 or '53. In crossing Central America, on his way back, he met with a man from the United States, who was sick; he had been unfortunate, and was truly an object of charity. My friend said that he had hardly enough money to bring himself home, but he said he was an American citizen, and so he divided with him. It was enough for him to know that he was an American citizen, and so he divided the last dollar with him that he had. Now, that is the kind of spirit which we ought to have. If we contribute to a return of this spirit among the people of the North and South, if we can get them reconciled, if we can get them to know that these matters of difference are not matters about which they need to be alarmed, we shall certainly have done a great work.

Now, it is truly no business of persons in the free States to concern themselves about the subject of slavery. If they look upon it as a great moral evil, or a crime, yet if they have nothing to do with it, it will not be a sin to them. They ought to be willing to act upon the principle, do unto all men as you would have them do unto you. Whenever we, as American citizens, are willing to act upon that principle, we shall have peace in the country, and be in a condition to compromise our difficulties.

I am satisfied, Mr. President, that we are not going out of the Union. I am satisfied, further, that we are going to adopt this majority report, with the preamble, and send it out to our brethren in the border States and the free States so that they may understand our position, and come forward to aid us in the work of restoration of peace. There is no use talking any longer about who is at fault and who is not. The great question now is, we are in trouble and we want to get out of it. We have to compromise. We propose as a basis the Crittenden amendment to the Constitution. It is an amendment which seems to give satisfaction to the people of the North and to the South; and when I say the North, and the South, I mean the massess of the people, the yeomanry, the men who follow the plow, the working men, the bone and sinew of the country. I have no idea of satisfying political demagogues. The sooner the people get rid of them the better. But I tell you the people North and South will vote for this proposition. It is true if I were sent to a National Convention, and was to vote for this compromise, if I could not get a compromise without striking out that part of the proposition which relates to the future acquisition of territory, I would be willing to strike it out. I believe we have territory enough, and I am rather of opinion that if that compromise is adopted, it will operate against the acquisition of any territory in the future. The people all over the country are familiar with the Crittenden amendment, and I have no doubt a majority of them will vote for it. I have talked with a number of Republicans who say that they would vote for it, and the other evening a gentleman from Northern Illinois told me that three-fifths of the citizens in that country would vote for this amendment. I tell you they will do it all over the country, and all we want is time enough to get this thing before the people.

What a glorious object it will be for us to do something which will accelerate the time when our country shall again be blessed with peace and prosperity—when we shall all again be united in one sisterhood of States, and a compromise shall have been effected, which will set the vexed question of slavery forever at rest! What a glorious object if, by agreeing upon such a compromise as this, we can prevail upon the Southern States to join hands with us once more and come back into the Union! We will welcome them back as brothers. We will act as the Father did toward the Prodigal Son. We will go out to meet them, and embrace them once more—we will kill a fatted calf, and we will thankfully proclaim to all the world: These States were lost and we found them—they were dead, and they are alive again. I tell you such a shout of joy never went up from the American heart as would go up if those States should come back. We would have a glorious time.

FOURTEENTH DAY.

St. Louis, March 16th, 1861.

Met at 10 o'clock, A. M.

Mr. President in the chair.

Prayer by the Chaplain.

On motion, the reading of the journal was dispensed with.

Mr. Linton, I propose, Mr. President, to occupy the attention of the Convention for about five minutes. I object to the amendment of the gentleman from Clay, for two very good reasons: First, that it is supererogatory; and second, that it is revolutionary. It is supererogatory, because Lincoln has already said that he does not intend to invade any State, and that he does not intend war. What is the use, then, of passing a resolution that he shall not do it. I say for that reason, it is supererogatory. But, in addition to this, it is nullification, it is revolutionary, for it asserts that Missouri will not do what the President, by constitutional power, can require her do. If it be constitutional for the President to call upon us for aid, then the passage of the resolve declaring that the State will not extend such aid, would be a wanton act of nullification. So far as principle is concerned, I should like to know what difference there would be between Missouri saying to the General Government, we will resist your civil demands, and South Carolina declaring that the General Government shall not collect the imposts at Charleston? I say, then, it is secession in disguise—it is an ultimatum and nullification. Although I do not believe that gentleman intended it, yet it is so, and, to use a sort of illustration, with which I am familiar, and which I borrow from the gentleman from Greene, (Mr. Orr,) it does not matter what you meant when you gave strychnine, if you gave enough to kill, it will kill, although you may have given it to cure.

I do not say, Mr. President, that I do not wish this amendment to be sanctioned by the Convention, because I know it will not be. I do say, however, that I hope it will not get a dozen votes. I know I have taken the right view of it, and that it is useless and wanton, and that it is nullification and secession. So much for the amendment.

I wish merely to say, as the debate has taken a wide range, a few words upon the majority report. I approve it. As others have said, however, it is not exactly such an one as I would have gotten up, although it is a much better one probably than I could have devised I regard it as the ablest document which has been elicited by the present troubles of the country. For myself, I could take less than it asks, and for the sake of the Union, I would ask even more than it asks.

I feel very differently, now, Mr. President, from what I did three weeks ago, when I first met you in Jefferson City. I felt nervous, then, and alarmed; but I do not feel so to-day—I feel that it is all right with Missouri. When I got to Jefferson City, and heard nothing but the Marsellaise and Dixey, in place of the Star Spangled Banner, I felt uneasy enough. And when I heard Governor Jackson speak, I felt badly—and when I heard the Commissioner from Georgia, I felt uneasy.

I recollect, with my colleague, Mr. Broadhead, hearing Dixey played on the streets, and that we stepped up to the leader of the band and asked him to play the Star Spangled Banner. He said, (being a foreigner) "Oh me 'fraid to play that." We assured him there was no danger, and he played one stanza of the Star Spangled Banner, but immediately went off into Dixey, and of course we went off in disgust. But we need have no fears of Missouri now or hereafter.

Mr. President, there never has been any adequate cause why any State should secede. There never has been even a respectable pretext. What have any of them suffered? Have armies been quartered amongst them in time of peace? Have hordes of officers been sent among them to eat out their substance? Have they been taxed without the liberty of being represented? Have they been denied trial by jury? Have they suffered any of those wrongs declared by Jefferson in the Declaration of Independence? Not at all. What outrage has any State suffered? I answer nothing that would in any degree justify secession. They cannot complain that slavery will be interfered with in any of the States, for the Chicago platform repudiates that doctrine—the Committee of Thirty-Three has set that matter forever at rest. They have taken it out of the power of Congress to interfere with slavery in any of the slave States. Slavery already exists in all the Territory that slavery claims. The only Territory that the Crittenden Compromise claims—and there is no Wilmot Proviso to prevent it from going into the territories of the North. But the territory hereafter to be acquired is what the Crittenden Compromise provides for. Mr. President, I think it a wanton wickedness to interfere and endeavor to raise a quarrel about property which we may never have. I say it is wickedness to endeavor to raise a quarrel of that sort. And I say more, that I hope we may never have another foot, if it is to be used as an element of strife.

As to the personal liberty bills, it is very well known that the General Government pays no attention to them; that it executes the fugitive slave law in spite of them. I have read that one fugitive slave returned in one instance cost $40,000. What do we care for their bills if the General Government carries its laws into effect in spite of those bills? Have any of these seceding States ever lost a slave by any of those bills? No, they have not. But Southern orators say that, like a scorpion girt by fire, slavery will sting itself to death, if bounded. It is obliged to be bounded by the Crittenden compromise, and, if it is so dangerous, it will have to sting itself to death, even if the Crittenden Compromise is adopted. If it is the scorpion it appears to be, we had better get rid of it in Africa than extend it through our Territories. At any rate, we cannot blame the people for being afraid of the scorpion. For myself, I want nothing better than the Corwin Compromise reported by the Committee of Thirty-three. Those who will not be satisfied with that, will not be satisfied with anything. South Carolina will not be satisfied with anything, and in this connection I beg leave to read an extract from a letter from a gentleman who is well known, was a Bell Everett man recently and a good Union man more recently and always. He says "the amendment of the Committee of Thirty-three which has been submitted by them to Congress for ratification, will put that question forever at rest, and all reasonable and patriotic Southern citizens ought to be satisfied. But I fear that it will not be enough for the seceding States. Their whole course has been unpatriotic, selfish, and unmanly to other States and especially to the border States. There is no patriotism in the secession movement, and no patriotic State should give momentum to it by uniting in defense of it, and in my estimation Missouri should be the last of the border States to do so. Laying aside every patriotic consideration, her interest is opposed to such a step—1st. her expenses must greatly exceed what they now are; and 2d, her geographical position is such that if she should go into a Southern Confederacy, in five years she would be a free State; and that, however much you might wish it otherwise, she would present the strange fact of being nominally a slave State without having any slaves, and of being hitched on to an aggressive Southern aristocracy without any sympathy with it."

A VOICE. Who is that letter from.

MR. LINTON. From Judge Booker, of Ky. Mr. President, it is sad to see a great nation destroyed for no other reason than a mere punctilio. The South desires to be permitted to do what she would not do if permitted, namely, to carry slavery into Territories unfitted for it. What a cause to fight for and to bleed for—a war for the extension of slavery where it could not exist! Surely, there must be some great advantage in secession, when the people rush into it without a cause. No, there is not. It will only intensify the evils complained of—it will make a Canada of every Northern State; and the North will be a bourne from which no slave traveller will return. Disunion is a terrible remedy for a slight and trivial disease. It is like cutting off an arm to cure a wart—it is like *jumping out of the frying pan into the fire*. But, sir, Missouri is saved—I am satisfied so far. I think the people of the seceded States will be brought back, and that the names of their betrayers will be placed in the same catalogue as those of Burr and Arnold. I do not like to use the word traitor, especially as gentlemen here object to it, but, sir, I must say that many of these men of the South are what I used to think was meant by the word traitor; and if I do not apply it to them, I must erase it from my vocabulary. I am certain they are traitors according to the dictionary of Henry Clay, and according to Webster's dictionary. The country, sir, is not doomed to disunion—its flag is not to be torn to tatters—it will yet wave over every sea and be recognized in every land—its constellation is better known than the stars of heaven, *for it is familiar to millions* on whom the stars of the North never shone—to millions who never beheld the Southern cross. Glorious FLAG! next to the emblem of man's salvation, I revere the glorious UNION! next to the church of the Loving God—thou hast my homage.

MR. SAYRE. I would like to say a few words on the amendment offered by the gentleman from Clay. I think there should be an expression of opinion of the people of Missouri against the use of force while we are endeavoring to negotiate for such guarantees as the people of the threatened States think their rights demand; but I am not satisfied with the manner in which the expression of that opinion is sought to be given by this amendment. It seems to me that it is not the part of statesmen to say that we will do one thing, or that we will not do another, binding us for a future, when circumstances may be very different.—The view of the people of Virginia, as given by the majority report of their Convention, is more correct than the one set forth in this amendment.—They simply declare that the use of force, or the commencement of hostilities by either party will be regarded as unfriendly and offensive. That would be sufficient for our purpose, and carry all the weight which the position would seem to require at our hands. More than this, I object to the position in which that amendment places us, because it is said there that we will not give assistance to the one party or to the other, under any circumstances, reserving to ourselves a neutral position, where we can stand pusillanimously by, in a place of safety, while our brethren are fighting this great quarrel. Where we shall be benefitted by their sufferings; where I can sell my mules, and the gentleman his hemp, for all the higher prices because of their necessities. As the Jackall in the fable, when the Lion and the Tiger are fighting, and they are exhausted, can pick their bones.

What would that "brave old man eloquent," the near connection of the gentlemen to whom the eyes and hearts of every patriot in this broad land are now turned with affectionate admiration, say of this position were it suggested to him for his loved Kentucky or for Missouri scarce less dear. I think it would be sufficient to say that any act of hostility on either side, while we are in negotiation, would be regarded as unfriendly and offensive.

Gentlemen have undertaken to argue upon this amendment the whole questions which have divided the North and the South. It is a proper occasion, therefore, and a duty imposed upon me, to bear my testimony as to what the voice of the people with whom I am acquainted declares upon this subject. With that object I wish to make a comment or two upon the positions which have been taken here, in regard to the action we should take. I was sent here to attempt to provide guarantees for our rights—rights that have not only been invaded and trespassed upon, but much more; rights that have been and are threatened to a more serious extent. What we have suffered, and now, in point of fact, are suffering, is set forth clearly and honestly, so far as it goes, in the majority report. But there is more than this—there are the threats of future aggressions, and so far as I am concerned, and so far as the great mass of the people of the South are concerned, the cause of the action they have taken, is nothing more nor less than the apprehension of these future aggressions. I know it is thought to be an imaginary apprehension, but I stand here to declare, in my place that these apprehensions are based upon facts, real, solid, and dangerous.—Why! how could it be otherwise? Here are millions of people of our own race, and no one will say that the great mass of them are cowards or fools, who, because of this apprehension, have sacrificed the ties which bind them to their country. They are patriots, and they have shown their love for their country to be as sincere and devoted as the love of country ever shown by any other people. They have parted with all the glorious memories of the past, and with all the bright hopes of the future, as connected with our Government. They have imposed upon themselves enormous burthens, they have run the risk of individual ruin, of having their rights wrested from them, and their property, by an aggrarian distribution, thrown into new hands. They have been, and they are the most conservative of all people upon this whole globe, yet they have broken up their government and incurred these great dangers. Would they have done this without a cause? Never. What then was the cause? We have seen, that for nearly thirty years past, the minds of the Northern people have been poisoned, and their consciences preverted, by being taught, from the school room to the desk of the minister, in the forum, on the bench, in the Court House, in the Lyceum, in the literature of the country, in the nursery, and even in the prayers of the family altar, that slavery was a sin, and that it was incumbent on them to wage war upon it. The people of the south have repeatedly, and in all possible ways, declared to the people of the north, that the opinions you are inculcating, are dangerous to our peace and destructive of the security of the Government, and if persisted in, must necessarily result in separation. They were answered with fresh aggressions and additional insults. The contest has continued from the time of the anti-slavery societies of 1815 and 1825, to the more active abolition societies of 1830 and 1835, until it at last resulted in the great Republican party, and the nomination of a candidate in the Presidential canvass in which Buchanan was elected, upon a platform containing a set of principles, which were not the least changed in substance and effect in the platform adopted at Chicago. Thus these views have been continually on the increase, and the party has grown in power in spite of the warnings of the South, until in consequence of these views hostile to the institutions with which their existence is entwined, the South has been compelled to separate. Does any one deny the existence of such a party, whose sole idea is hostility to slavery? It cannot be denied. For what other purpose does the party exist? and what is the ultimate purpose of this great party? They do not expect to accomplish it on the instant, but by a course of legislation, perhaps judicial legislation, which shall place the institution of slavery gradually and inevitably in their power, until at last it shall be done away with. They declare that the Northern mind will never rest satisfied until slavery is put in the course of ultimate extinction. No man can deny that this is their main object; that while they may be compelled to bear with it temporarily in the States where it exists, yet their policy is to effect the obliteration of the evil. We have heard it said from this stand that the people of the South do not suffer, that they have no cause to complain, but that the people of the Border States suffer; that our slaves are taken by mobs, and carried away; that the whole South has not suffered one-hundredth part as much as the State of Missouri.—I do not wish to contradict it. But what will be the case if this great party succeeds and abolishes the system of slavery? What will be the situation of our brethren in the South where the slaves outnumber the whites as four to three? They are more interested than we are, are necessarily more sensitive, and forsee the approaching evils from a greater distance. What is to become of them when the tie which binds the slave to the master is unloosed and the system is abolished?

Do you not know Mr, President, that their hill-sides are exhausted? that the rice fields, the sea islands, and the cotton fields, where the strangers' fever prevails, cannot be cultivated by the white man? When slavery is abolished what is to be their situation? The horrors of St. Domingo are but peace in comparison to what must befal that afflicted country, the moment that the tie which binds the slave to the master is severed. Better far that the waters of the Atlantic, and of the Gulf envelop them in a common ruin. They have constantly warned the Northern people to cease this war upon them. The Northern people have been regardless of this warning. The people of the South now see that the North is in a condition to carry its threats into execution, and that, though the object may not be accomplished in their day, it may be in the day of their children and grandchildren, who may be compelled to live perhaps on an equality with the negroes, perhaps obey them as masters. Is it wonderful that these people resist? Is it to be expected that they shall be less sensitive on their childrens' account than on their own? Why will not gentlemen look these facts in the face, as the real cause which has compelled the Southern people to take their decided step. I have waited in vain for other gentlemen, who understand these things better than I do, to give voice as to the real causes which have led to these troubles. It is because of real and well grounded apprehensions of terrible and intolerable dangers. It would not be difficult to give the doctrines and platforms of the party which has been inculcating this anti-slavery idea for more than a generation, but it is sufficient to take up the last—that formed at Chicago. The more especially, as objection has been made to their being judged except by their platform.—What is the testimony of this platform as to the intentions of this party? They have clothed their nefarious purposes, and on that account all the more offensively to us, in a pretended devotion to the Declaration of Independence, and the Constitution of their country. But the exposition of their meaning, and construction of the Declaration of Independence and of the Constitution is well known over the whole land. We know how these planks of the Chicago platform were offered one day in the Wigwam to propitiate Mr Giddings and the radical abolitionists, and after debate and full consideration, they were voted down. We know how then Mr. Giddings left, scraping the dust from his feet. How then the action of the Wigwam was reconsidered and those planks adopted, and Mr. Giddings then was willing to occupy a position among them. Their construction of those planks in the platform are pregnant with the utmost significance. They place particular stress upon the clause which declares that all men are created equal. Was it not natural that the South should be alive to the danger, when this great party, numbering over eighteen hundred and sixty thousand voters, elected their President to carry into effect this great truth. They expressed what was meant, and gave a significant meaning to it,—that the white man and the black man had equal rights! Sir, a President has been elected upon that platform, who, though he avowed in some of his speeches in the Senatorial canvass with Mr. Douglas, that he was not in favor of giving the right of suffrage to the negro in Illinois, that he was not in favor of repealing the so called Black laws there, yet afterwards repeatedly scouted the distinction of colors and races as to the equality of rights. He has said in his triumphal passage from his home to the Presidency, that he would yield no inch of his platform, and at Independence Hall, on the very birth-day of the father of his country, that he would like to save his country, if he could do so consistently, with this principle. But if he could not do so it would be awful. Rather than yield it, he was about to say, he had rather be assassinated on the spot, giving full assurance that he intends to press the principle till he sees the burthen lifted from the shoulders of all men The men whom he has selected for his Cabinet, share his sentiments. If there is one man whom we dread more than any other, it is **Chase** of Ohio. How long is it since he declared his approbation of the practice of amalgamation. Mr. **Seward** is his principal adviser. He did more, perhaps, for his election than any other man, and again and again has expressed the same sentiments. It is these things that have compelled the South to take their present course. I was pleased with the address of the gentleman from St. Louis, (Mr. **Gantt**) yesterday, in which he held up to merited scorn and contempt, the action of the Northern Legislatures, which, adding the sin of hypocrisy to the guilt of violating the Constitution of their country, have attempted to obstruct the rendition of fugitive slaves. But I regretted to hear him place as a full set off, against their continued persistent and systematic violations of Southern rights, the inhospitable treatment, as he called it, of Mr. **Sam'l Hoar** and his daughter, in 1835, in South Carolina. Mr. **Hoar** went there as an emissary of the anti-Slavery Societies of the North, clothed with authority from Massachusetts, to contend for and secure negroes' rights in South Carolina. It was a regular part of the warfare on the South to do away with slavery. It was one step in the progress to their one great end. They talk about people of the South being upon a volcano—in a house filled with combustibles. They abound with all such figures of speech, which are calculated to strike terror into the hearts of those who choose to listen to such nonsense. If these things were so, Judge **Hoar** went there with a lighted flambeau in his hand, to set fire to the institutions of the South—not in a manly manner, by himself, but meanly sheltered by the presence of his daughter, whom he brought to protect him from the indignation of an outraged people. For their treatment of him they cannot be accused of a want of chivalrous feeling. They desired him to return home with his daughter. They were not willing that she should shield him while making war upon them. I do not think the sending home of Judge **Hoar** and his daughter from South Carolina is a full answer and "counterpoise" to the encroachments of the North. Their action was in self-defence, and as it turned out afterwards, in accordance with the law. There has since been a decision made upon the subject of the right of the blackman to citizenship. This decision denies the right. More than this, the South have considered, and still consider it, not only an outrage but an insult to question their title to their slaves.

In another part of the constitution, freedom of the press and freedom of speech are provided for. It is known that the North construe that to mean that they have the right to send emissaries and inflammatory handbills to the south to incite the slaves to insurrection.

In another part of the Constitution, Congress has power to regulate commerce. Under this power, the North claim the power to interdict the inter-state slave trade, to prevent a citizen of of Kentucky from moving to Missouri with his servants.

In another part of the Constitution, the citizens of one State are guarantied the privileges and immunities of citizens of the several States. Under this power, the North claims that a free negro of New York or Massachusetts, has a right to move to Missouri, and enjoy the privileges of citizenship.

In another part of the Constitution is secured to Congress the power to pass all needful rules and regulations respecting the territories and other property of the United States. Under this power they claim the authority to abolish slavery in the territories, in the forts, dock-yards, and in other posts of the United States, as well as in the District of Columbia; that thus, where our common government has jurisdiction, shall be found an asylum for runaway slaves. It is well known, that they claim under the power over the territories and other property, that they have the right to prohibit slavery; and under the Fremont platform they declare it their duty to do it where they had the power. Though this is left out, in plain words the substance is retained in a more offensive shape in the Chicago platform. By some strange delusion they have come to the conclusion, that they are as responsible as the South is for slavery in the South. We claim that we have under our Constitution, the same right to be protected in our property, that they have in theirs. For our allegiance, we are entitled to protection; that allegiance and protection are correlative; They limit and deny our right to protection to our slave property, and declare that all our remedies for securing and re-taking it, shall be taken away from us whenever they have the power; that the laws of God may be vindicated in accordance with their perverted views of the lessons of history, and the laws of progress and civilization. All their acts declare that slavery is of purely local and not of general character as to its remedies; and that we have a right to have it protected only in the places where our State laws have jurisdiction; and if our slaves are found in the forts, arsenals, or other property of the government, they can and should withhold from us our right to recover them. They declared also, four years ago, that it was their right and duty to wield the policy and patronage of the government in hostility to our institutions. That particular language was left out of the Chicago platform; not because of any change of views, but because their purpose was sufficiently palpable without it.

These, then, are the purposes of the Republican party of the North, and by putting demagogue judges upon the bench of the Supreme Court, they can easily, and in a short time, be carried into full effect, by judicial legislation, without going to Congress for new enactments. Seven States believing thus for most abundant reasons, that these are the intentions of the Northern people, and perceiving that they have sufficient power to execute them, have separated themselves for their protection. It is not necessary to say that slavery can not continue at all under these perversions of the Constitution; nor is it necessary to say that the entire South must be rendered desolate if slavery is abolished. What, then, is our duty? We complain of the South because they have taken their mode of redress without consulting us. They have taken, to say the least of it, a rash remedy. They have deserted us when we were sharing their dangers, and worse than all, have left us behind with diminished numbers and strength to fight their battles for them. It is natural that they should be more sensitive to these great evils than we are. It is a matter of life and death with them. Our slaves may be taken away from us, but still, Missouri, degraded and dishonored, PERHAPS, can exist. But with them it is a question of life or annihilation. From the speeches of gentlemen, it might be supposed that our troubles and complaints were for the few slaves stolen from us; but that is nothing in comparison. Our great trouble is the war that is made on us by the North, without cause. They make this war upon us, though they continue to use rice, cotton, sugar, tobacco and hemp; to buy and sell, and trade, and grow rich upon the products of slave labor. We sympathise with our Southern brethren; but we regret that they should have attempted to take their remedy into their own hands, without consulting us. They should not have done it. We should not, and we cannot now go with them. I think the course which they should have taken, is the course proper for us to take now. We should confer with the remaining slave States in a Convention, and set forth in clear, and firm, and moderate terms, our claims for guarantees by amendments to the Constitution, and should urge the North and the South to assist in having them adopted. When the Committee on Federal Relations made their first report, I was not satisfied with it; but now, since they have made their amended or supplemental report, recommending the Convention of the remaining slave States for conference and consultation, I can cheerfully give it my support, as a mode well calculated to secure the guarantees we need. By this Convention, and a subsequent Convention of all the States, I indulge now strong hopes of working out a remedy for our troubles.

While we express our disapproval of the course taken by our Southern sister States, we should remember, and recognise, and acknowledge, that they were acting in self-defence, with a degree of unanimity seldom if ever before witnessed; and that they judged of the mode and measure of their redress. They have considered the question, and unquestionably in all sincerity and honesty, decided that it was necessary, in order to arouse their own people, and perhaps the people of other States to a sense of their danger, to take the harsh measures which they adopted, to obtain redress for their and our wrongs. No matter what some of them may say; I can not believe that if sufficient and proper guarantees are accorded, they would hesitate long before returning to us; until the redress which they and we desire is obtained, it does not become us to take any steps for their destruction. I wish Missouri to say that any attempt by the General Government to bring them back by the use of force, will be regarded as unfriendly and offensive.

I have felt that the duty which I owe to my constituents, required me to assert, defend and endeavor to secure their rights upon this floor. When I see men rising in this Convention, one after another, pretending to be on our side, pretending to be part of us, and yet confessing judgment against us, arguing and defending the positions of those who have made these aggressions, and brought these great troubles upon us; pretending great sympathy for us and then when off of our guard, having secured our confidence, ~~plunging their~~ dagger to our hearts, telling us that we are the party that is in the wrong; I say~~, when I~~ see this, I can not but feel that such sentiments will not be endorsed by the people of Missouri.

Mr. President, I must tell gentlemen that Missouri will not reserve her great honors and her high places, for those who hang upon her garments; who weight her down and paralyze her arms, while she is struggling for her rights with her enemies.

Our people are not conscious of doing the North any injustice, but they are conscious of having received injustice at their hands. We desire nothing at their hands but to be let alone. If, as has been so frequently the case, our rights are invaded, and we stand in defense of them, shall we be told that we are committing dreadful wrongs upon the North! We have claims upon them for redress. I think I have shown the mode of securing it. What is to stand in the way of our success? Who and what are to be injured by an adjustment and settlement of our troubles? It is possible that some portion of the British empire that has been our enemy and our rival for nearly an hundred years, actuated by spite, at previous unsuccessful attempts to injure and destroy us, and envy at our increasing prosperity, not unmixed with apprehensions of our growing power, may desire to see their rival crushed; that Britannia may still continue to rule the seas. They may be benefited by our continued alienations, and by their being made perpetual.

It is possible that some misguided fanatics of the North, some corrupt demagogues, thirsting for the enjoyment of power, covetous of the fruit of their triumph, and having the temporary control of the Republican party, may be benefited by our troubles. It is possible that some men across the Atlantic, who wish our destruction, having never forgiven us for what our fathers did in the revolt of the colonies, nearly ninety years ago, (similar so far to what the South are doing at the present day in that both were resisting oppressive aggressions)—and that these others on this side the Atlantic, who wish to clutch the spoils of office, will regret our reconciliation and may try to prevent it.

It is possible that some bold, bad men, who speak with a cool relish and satisfaction, like the wicked Trumbull of shelling the city of Charleston; or like the brutal Wade, when with profane curses he thundered of Louisiana, "that she came to us a desert and as a desert she should go from us"—might not rejoice to see this Union again prosperous and happy. But the voice of the American people will, I believe, eventually sweep from the face of the earth, all such men, and all who defend them.

I will now offer my substitute.

The amendment was then read as follows:

Amend by adding, "that the commencement of hostilities by either must necessarily be regarded by Missouri as unfriendly and offensive."

Mr. **Wright**. Is that to be added to the original resolution?

The **Chair**. It is an amendment to the fifth resolution, instead of the amendment offered by the gentleman from Clay.

Mr. **Woodson**. *Mr. President—Gentlemen of the Convention:* I did not expect, when I came here, to open my mouth in the advocacy of any measure or proposition that might be presented for consideration.

Being unused to debate or public speaking, I determined within myself that I would not, at my advanced period of life, attempt to enlighten this grave and intelligent assemblage of men, clothed with the most important trusts ever confided to the consideration of any deliberative body, convened within the borders of this now great commonwealth of the State of Missouri.

But whilst determining on such line of conduct, I resolved not to be impassive; but on the contrary, to note carefully the main suggestions made by members of the Convention; weigh well the arguments produced, in order that I might be enabled to vote on each and every proposition debated, with an eye single to the best interests of my State and my whole country; adopting as my best policy the sage advice which a certain father gave to his son, who was considered not remarkable for acuteness of intellect, when invited to a social repast, to "keep his mouth shut, and probably no one would find out he was a fool." (I hope no member of the Convention will take exceptions to this remark; I do not intend it for any one but myself and use it in no offensive sense.) But when I remember the pledges I made to my constituency of the third Senatorial District, as true Union men as any to be found in the State, whom I have the honor, in part, to represent on this momentous occasion, viz: I would not only not sign any ordinance dissolving the relations existing between this State and the Federal Government now, but use my best endeavors to restore the Government to what it was, prevent the further disintegration of these States; and preserve the

Union, made by our fathers at such a sacrifice of toil, of hardship, of blood, of life, and to hand it down to posterity as we received it: I feel impelled to depart from my original purpose, and at the risk of incurring the penalty inflicted on the hopeful son, I ask the indulgence of this Convention while I make a few suggestions, from the best lights I have, in view of my responsibility to the country, and the redemption of the pledges made to my district.

Gentlemen, I have listened attentively to the remarks of every speaker who has preceded me during our deliberations; and I now declare that I feel much gratified in being able to say that I do not believe there is a disunionist, *per se*, amongst the ninety-nine delegates composing this Convention. I feel well assured, therefore, that our glorious Union is safe, so far at least, as the purposes and action of this Convention can conduce to its restoration and preservation. The love of the Union with our people has grown into a fixed habit, and is difficult to eradicate; and it is not strange that this is the fact. Indeed, it were most unaccountable that it should be otherwise. Not love this Union, which Washington and his compeers gave us! which has secured to us blessings and prosperity beyond those ever vouchsafed to any people or nation under the sun! and under which we have grown and prospered without a parallel, in the history of the world! Yet whilst this is true, and our love for the Union remains unabated, let not the Abolitionists at the North, the source of all our national troubles, presume that we are insensible and indifferent to their insolent and unwarrantable aggressions upon our Constitutional and just rights. Though long suffering and forbearing, for the sake of the Union, and an honorable adjustment of all our difficulties, upon the basis of the Crittenden, or some equivalent compromise, the time will arrive, and probably at no distant day, when forbearance will cease to be a virtue, and love of the Union, patriotism!

But gentlemen of the Convention, I do not propose to elaborate; and if what I may say shall have no merit but brevity, I promise that, at least. I was just remarking upon the unexampled progress of the Country. To illustrate my views I would instance the history of this magnificent city, in which we are holding our deliberations, and enjoying the hospitalities of its citizens. Situated on the sun-set side of the Father of Waters, lining the banks of that noble river for a distance of nine or ten miles, reaching westward half that distance, and containing a population of 170,000 inhabitants! How is this unprecedented growth to be accounted for, except upon the principle that ours is the happiest and best form of government in the world?

The city of St. Louis some forty years ago, was but a small village, numbering, say 1,500 or 2,000 inhabitants. I was here in the fall of 1820. It had then but a few narrow, irregular streets upon the river, under the hill, lined with decayed, uncomfortable tenements and business houses. It is now compactly built up with immense rows of splendid palaces. And this, we might say, is the work of the last thirty years, for prior to that time its growth was tardy.

But, to address myself more particularly to the merits of the proposition: As before remarked, I believe this Convention consists of Union-loving men—all desiring its preservation, and differing only in regard to the means best calculated to attain the end.

I have met with those (not members of this Convention, however,) who thought the eight remaining slave States should secede, in view of a reconstruction of the Government. From this opinion, how honestly soever entertained, I dissent, most decidedly—concurring, as I do, in one sentiment, at least, with the Hon. W. H. Seward, that "the strength of the vase, in which the hopes of the nation are held, consists *chiefly* in its remaining unbroken."

This, however, is not our present condition; seven of the stars of that bright constellation have disappeared, but not, I trust, forever. I hope they may reappear, and that we shall again be a united, prosperous people; which may be accomplished by each section of the Union performing its duty, and respecting the rights of the other; and then this nation will resume its march to greatness and glory. I believe this end can yet be attained, if wise counsels shall obtain, and war be prevented, until the people of this nation, whose government this is, can be heard. The truth is, the people have had too little to do with the administration of their own government. They have lost sight of the watchword, "That the price of liberty is eternal vigilance." They have been attending to anything and everything but the Government, which is the main thing, about which they have taken but little thought. It has been turned over to reckless demagogues and politicians, who in the main have had but little interest at stake, except their own aggrandizement.

But, gentlemen, our business is to devise the ways to restore the Government; and how shall it be done? I have been surprised at some of the legal profession arguing the doctrine of the right of secession and the powers of the Government to take care of itself, about which there is and can be no controversy.

It seems difficult for some gentlemen of that profession to realize the present condition of the country, and to adapt their mode of reasoning to the exigencies of the times. We are in the midst of a great revolution; seven States have declared for themselves, and have set up a separate confederacy; and others are entertaining the proposition whether, in view of all the facts and circumstances present and prospective, they shall change their relations to the government, or maintain their present status; the latter seems to be their true position, and with a proper and honorable adjustment of our difficulties, will so continue. It is conceded that the border slave States owe a sacred duty to the country, and if the Union is saved, it must be through their mediation. Missouri, the greatest of all, occupying a central position and endowed with all the elements of wealth and power, owes a double duty to herself and to the country. She is entitled to be heard and will be heard. Let her, therefore, take care that her potency be not lost by unwise councils.

Gentlemen, if we were here to discuss the abstract, theoretical, constitutional right of secession, and the power and duty of the Government to uphold and protect the supremacy of the Constitution and laws, with reference to the future, ignoring what has already occurred, there could be no question as to its relevancy and prosperity. But, gentlemen, disruption of the Government has already occurred to some extent, and it becomes our sacred duty to save the Government, if we can; and how should we act in the premises as loyal citizens? We desire to save what now remains; to bring back the States that have departed, and to preserve the whole Union for all time.

How is this to be done? By force? No. God forbid. What would the Union be worth if saved by the sword? But the Union must be saved; and may Missouri do her whole duty in the work.

Gentlemen, we all agree in one opinion, at least—from which I do not know a dissenting voice in or out of this Convention—viz., that coercion on the part of the General Government of the seceded States would inevitably ruin the country and destroy the Government.

So fully are we assured of the truth of this proposition, that we do not hesitate to assert that coercion in no case will be tolerated.

Resistance to the higher powers of the Government, actuated solely by the false idea of carrying out to the letter the principles involved in a solemn oath to execute and uphold the Constitution and the laws, regardless of consequences, may become the most sacred duty of the most loyal citizen; and in so doing he would be supporting the Constitution in its spirit and intent; for the power to execute the laws was not given to destroy, but to preserve the Government.

I am aware that it is insisted that no one pretends that the President entertains any such ridiculous idea as that of invading the seceded States with—armed men to subdue them into obedience; but he does intend to possess and occupy the Government property in those States; and collect the revenue, unless means are denied him by his masters, the People; and although such might not be considered coercion in the popular sense of the term; yet if it will inaugurate war, it deserves equally to be deprecated.

Now, gentlemen, what is the purport of this fifth resolution, reported by the Committee on Federal Relations? Does it not deprecate, in the most emphatic terms, the horrors and ruin resulting to the country, from the attempt at coercion by the Government; and entreating, in the most patriotic language, both the General Government and the seceding States, to stay the arm of military power, and on no pretense, to bring upon the nation the horrors of civil war? And I ask you, gentlemen, what is proposed by the amendment offered by the delegate from Clay to this fifth resolution? It simply adds the additional idea, not of threat, not of menace; but saying to the belligerent parties, be still; if you shall, in your madness, however, disregard our admonitions, and turn a deaf ear to our counsels; we forewarn you now, not to look for aid or comfort from us; for in this war we have no lot or part. We intend our position to be that of strict neutrality. Does such additional idea militate against the conservative spirit and tenor of the whole report of the committee? I think not; but on the contrary, gives to it the finishing touch. If I thought the amendment was in conflict with the report, (for I am against conflicts just now,) as good a Union man as I know the mover to be, I would vote against it; for I indorse the report, and regard it in all its parts, with the amendment, just suited to our exigencies; and as creditable to the distinguished Chairman who drafted and reported it, as that of the Declaration our Independence was to the head and heart of the immortal Jefferson. If the mediation of Missouri shall contribute even remotely to restore peace to our distracted country, the report would deserve to be regarded as sacred as the Declaration. The power that saves is as deserving of our admiration as that which produces. I shall vote for the report and resolutions with or without the amendment, but I prefer the amendment. The report in some few particulars may state some things too strongly, and which some may suppose might have been omitted without marring the harmony of the whole, but they are immaterial, comparatively, and constitute no valid objection with me.

Mr. Redd. I desire to say a word.

The Chair. The gentleman having spoken the second time, will not speak to the merits of the report, but he has the right to speak to the substitute.

Mr. Redd. I desire to state the reasons why I shall vote.

The Chair. The gentleman will allow me to stop him. I desire to say, that notwithstanding my decision, he can proceed to debate the report with leave. If he desires to confine himself to the amendment, he can proceed without leave.

Mr. Redd. I do not desire on this occasion to enter into a discussion in regard to that report, but I desire to give my reasons why I shall vote for this substitute in place of the amendment. That amendment, I have no objection to, as far as it goes. It states the proposition that Missouri will not aid the General Government in commencing the war upon the seceded States. That position is true, as is also the position that she will not aid the seceded States in the present circumstances in commencing the war upon the General Government. Missouri is for peace, compromise, concession, conciliation and settlement of all the questions involved; and while I deem it is true, I think it does not express the whole truth. If Missouri undertakes to say to the General Government what she will do, she owes to herself, to her own dignity as a sovereign and independent State, not only to tell the truth, but to tell the whole truth. In my judgment, the amendment does not do that. If, let a collision occur as it may—if, the General Government, refusing to compromise, refusing concession, standing as it has done during the last session of Congress upon the proposition that we have no compromise to make; if the General Government continues in the future to occupy that position, let the conflict commence as it may; if the Government then prosecutes that conflict with the determination of compelling the seceded States to submit, then, in my judgment—yes, I may say I know it—Missouri will take her stand by the other States; and if she speaks of what she is going to do, she ought to speak the whole truth. I would much rather she would not say anything on the subject, but leave the matter to be dealt with as the contingency might arise. If it ever should arise, and God forbid that it should, I would much rather she should say nothing on the subject than not speak the whole truth. This substitute does not pledge Missouri to any course. I shall, therefore, support it in place of the amendment.

Mr. Vanbuskirk. Mr. President, and gentlemen of the Convention: I owe a duty to my constituents at home which requires that I should trouble you on this occasion. I am satisfied every member of this Convention has made up his mind as to what his duty is as a member of this Convention. But there are other circumstances which induce me to speak on this occasion. I am a delegate from a District in this State, and I represent a majority of the people of that District who differ with the minority which my colleague (Mr. Hudgins,) represents. He has announced his views to this Convention, and I should be implicated by my people as a submissionist if I did not take occasion to allude to that gentleman's remarks. I do not suppose that anything I could say here would determine the action of this Convention. In my opinion, however, this whole matter is brought to this point—that it is Union upon condition, that it is Union with the "but's" and "if's," or under existing circumstances, it is emphatically Union. My position is that we have to act with the lights before us, and determine if we are for the Union or against it. I suppose every man in this house knows whether he is for or against the Union. When gentlemen read that Lincoln's Inaugural is a message of war, and that the American people are going to adopt coercion in forcing the South, it occurs to me, and is conclusive to my mind, that the "wish is father to the thought," and that they are not willing to rely upon the people of Missouri to meet the emergency, but that they want to get into condition to meet that expected calamity. It is not six months ago Yancey proclaimed that he was a better Union man than anybody else; that he was a strict construction Union man; but that if Abraham Lincoln was elected, he was for immediate secession—that the South would go out, and it did go out. He was a conditional Union man—and every man is a conditional Union man who advocates that side. The people of Alabama severed their connection with the Union. They did not wait to ascertain definitely whether any satisfactory adjustment could be made. They were bound to go out of the Union. And I tell you, that every proposition looking to an ultimatum, that is brought into this Convention, in any form, will have for its ultimate object the severance of the connection of Missouri with the General Government, for I tell you that the sentiment of secession, as it has manifested itself since we got into this condition, has been shown to be like the poisonous simoom of Africa, which sweeps and destroys everything before it. But an issue was made between the gentleman (Mr. Hudgins) and myself. He said he was in favor of the Union upon condition, and he fixed up a man of straw, and then, without any mental reservation, made an issue in relation to the Union. He tells you that there is already a Southern Confederacy—that he is opposed to coercion—that whether there is a right of revolution or not, a Southern Confederacy has been formed; and he tells you further, that if there are to be two Confederacies, he is in favor of going into the Southern Confederacy. He is in favor of laying down an ultimatum, and if the North will not agree to it, then, he says, the sentiment of the people whom he represents upon this floor is such, that they are willing to stake their destiny with the South, to join a Southern Confederacy, and that of course cuts off all compromise. I make a different proposition, and say it is the duty of the border States to work for compromise, to lay down no ultimatums, but to work till such guarantees are obtained as will settle the difficulties. It is the duty of the border States that they should remain with the people of the Northern States until every hope of compromise is exhausted. The gentleman says further in his remarks, that 'when we separate we desire to separate in peace.' Now, gentlemen of the Convention, I am here representing a majority of a constituency, who do not desire any separation at all, in peace or war, if we can get any compromise at all which shall restore peace. He has said that we should say as much as the people of the North have said to their fanatical brethren there—that they should not coerce the seceding States without first marching over their dead bodies. That is all correct. And I say also that we should say to the fanatics of the South that, you'll have first to walk over the dead bodies of the border States before you can bring on a conflict.

Again the gentleman says, "Missouri will make no threat; let her stand by the South." Yes, make no threats, stand by the South, and not discriminate between the seceded States and those that are not! We must make no threats, but the gentleman discloses in the same connection, that unless the North grants what we ask, we will secede. I did not come here with that kind of doctrine. I said I was in favor of standing by the people of the South, and the North, and the East, and the West. That is the doctrine which I advocated before my people. I did not contend before them that we must unite upon an ultimatum, and that if the North did not agree to it, we would unite with the South. I would be recreant to my duty, if I did not object to that code of reasoning here. I do not mean to say that my colleague is advocating anything which he did not declare before his people. He made strong Southern rights speeches before his people, and his people voted understandingly. He had a desperate game to play, but it was a game he must play or he could not be elected. I do not say he did it designedly—but I say there was a "*cold deck rung in,*" and the consequence is, that he comes here representing a minority, while I represent a majority. I do not say he misrepresents his constituency, for a great many of them are square and flat-footed for secession.

Mr. HUDGINS. I desire to ask a question, as this seems to be a personal matter.

Mr. VANBUSKIRK. Nothing is intended as personal.

Mr. HUDGINS. I presume not, but I just wish to explain. How many votes behind was the nearest man to me on your ticket?

Mr. VANBUSKIRK. I did not do justice in that matter.

Mr. HUDGINS. Mr. Singleton was the nearest man.

Mr. VANBUSKIRK. I will explain. It was our intention to act in concert in our district. Mr. Wilson wrote a letter which I indorsed, and placed myself upon it, and went to work in good faith to bring about a united action. We were entirely united upon Mr. Wilson, and he got some 800 or 900 more votes than Mr. Hudgins; I got some 350 more than Mr. Hudgins. But there were two other candidates—and that was where this desperate game of "cold deck" came in—which elected Mr Hudgins between two Union men. Mr. Singleton ran in Andrew and Nodaway, and Mr. Templeton in Holt and Atchison counties. Mr. Templeton got about 1,000 votes; in Andrew county, Mr. Singleton got 300 more than Mr. Hudgins, and where they both lived. Mr. Singleton got a small vote in Nodaway county,—I don't know exactly how many—but putting both Templeton and Singleton's vote together made about 400 more than Mr. Hudgins received. But here's where this "cold deck" by which Mr. Hudgins got about 600 or 700.

The CHAIR. This is purely a personal matter, and cannot be allowed to proceed further.

Mr. VANBUSKIRK. It was called out, and I only desire to show the facts. Now, in reference to this amendment. In my opinion, the fifth resolution takes the true position. It denies that any adequate cause exists for secession or revolution; that the employment of military force would destroy all prospects of peace; it deprecates any such action, and leaves us free to act under the circumstances, when they come up, just as we may think honorable and right. But this amendment goes further, and says we shall furnish neither men nor money to coerce, either on the one side or the other. Now, supposing a large portion of the people of Alabama should desire to return to their allegiance to the General Government, and should demand at our hands assistance to secure their rights. I say Missouri should keep her hands clear of all such emergencies, for six months may make a very material change. Other circumstances might arise which would embarrass our action under this amendment. We might be forced out of the Union before we could get a reaction North or South. Our present Governor would give the most liberal construction in favor of this amendment, toward secession, that could possibly be given. He would grasp at everything in his power to take the State out of the Union in a certain contingency. Suppose Fort Sumter, now in the hands of the Government, still remains in the condition it is, and that South Carolina should conclude that her safety required that she should take Fort Sumter, and that Maj. Anderson should repel the charge, just a few hours before orders came from Lincoln to evacuate—this would no doubt be construed as an act of coercion, and the Governor, so regarding it as in violation of the action of this Convention, would at once send troops and take possession of the Arsenal, and Sub-Treasury, and then take us out of the Union. If this amendment is calculated to produce that kind of interpretation is it not better to throw it aside as an apple of discord and take the original resolution? Now, I recollect a little religious anecdote that will apply to this. It is in the old Hardshell Baptist line, and if any man has a right to take it personally it is myself There was a certain church which was sound in regard to the old doctrine of predestination, foreordination, &c. One day a new preacher came along, professing the new-fangled heresy of a non-resurrection and that sort of thing, and after service one of the brethren, who had heard the discourse, said to another: "Did you ever hear such a discourse as that? Do you believe it?" "Oh yes," was the reply, "and more too."—Now I believe this amendment is the more too, and I object, for that reason, to it. It is calculated to misguide us, and I hope it will be rejected.

Mr. HUDGINS. I desire to make a personal explanation. I feel, as these things have been alluded to, it is necessary I should make an explanation, in order that a wrong impression may not be made. I see no use in inolving the question of an election in any argument here, and I regret it. I desire to say, in justice to myself, that I was not a candidate for a seat here at all. I am here, not having been a candidate before the people. My name was substituted for the name of Judge Butts, who was on the Constitutional Union ticket, in my District. My friends told me that if I would consent to allow my name to be used, I would be certain of an election. Men were sent through the District about a week before the election, withdrawing my name, and stating that I was not a candidate, and in some places I was not run at all; I do not know what the gentleman means by "*cold deck.*" I was put on a ticket with two others, and I run with them on a constitutional Union platform, which I hold in my hand, and which any gentleman can read if he desires. As to my speech, which the gentleman has criticised, I think he has not understood it. His constituents will understand it, and will see his representations of it are not sustained by the speech itself; they will see that I have taken the same ground here as there. Now, in regard to another matter. Mr. Vanbuskirk lives in Holt; there are four counties in the district; he ran as as an unconditional Union man, though when pressed, he said when the other slave States went out, he was in favor of Missouri going out.

Mr. VANBUSKIRK. The gentleman is not doing me justice exactly; the question usually put all over the State was, when all the fourteen States go out; when the last ray of hope is extinguished, where will you go? At first I said I would go with the South, but after that I said, in the event the Government is destroyed, I am for Missouri falling back upon her reserved rights, and settling down where her interests would be protected, and not be coupled on to a Northern or Southern confederacy, contrary to her HONOR OR INTEREST.

Mr. HUDGINS. Just one word. If there is anything about the "decks" it is this—my friend being in Holt, and there being four counties in the district, the ticket in my county was Mr. Wilson, and he carried that county. Mr. Vanbuskirk and Singleton were in Andrew and Nodaway, and the ticket in the county in which Mr. Vanbuskirk lives was Robert Wilson. Mr. Vanbuskirk and Mr. Templeton ran in Atchison, and so the ticket doubled on him; and he got the Singleton and Wilson influence in Andrew and Nodaway, and the Wilson and Templeton influence in Atchison and Holt, and therefore he is second in the race. If there is any "cold deck" in it, it is on their side and not ours. But this was all out of a business way, and I regret that allusion should have been made to it.

Mr. GAMBLE. Mr. President: In the discussion of this amendment, arguments have been made that cover the entire ground of the report in regard to the relations of this State to the United States and to her sister States. I, sir, at this time, propose simply to speak to the question which is before the body. I do not intend, on the motion to adopt a substitute in place of the amendment, to discuss the merits of the report. I do not intend to say one word upon that subject, or upon the relations that this State now sustains, either to the General Government or to any other State. Whenever that question arises, as there has been some criticism of that report, and as some gentlemen have given it as their opinion that there were few who would adopt every word and sentence in it, I will speak to it fully. I am responsible for every word and sentence in the report, for I wrote it. I am ready to prove every fact it asserts, vindicate every argument it produces, and I think to satisfy every intelligent mind in regard to every prophecy it makes of the future.

The substitute of the amendment which the gentleman from Clay proposed to add to the fifth resolution, is that the commencement of hostilities by either the General Government or the seceding States, must necessarily be regarded by Missouri as unfriendly and offensive. The tone of the original resolution is the tone of conciliation. It is the tone of entreaty to ~~powers~~ that we cannot control, powers that *will* act for themelves. Knowing that we are not able to control them we address to them the language of remonstrance, against an apprehended course of policy. The amendment goes further—it says to both parties we will not aid either of you in any attempt of making war. The substitute for the amendment says, we will regard the hostile action of either of you as unfriendly and offensive to Missouri. That is to say, gentlemen, we are preparing ourselves to be insulted. We are declaring that we will be offended—that we will regard ourselves as treated in an unfriendly manner, and we pledge ourselves to an occasion that would arise when anything is done offensive to Missouri. Is not that the meaning, is not that the consequence? When one man tells another that if he uses particular language he will punish him, then, if the other uses that language, is he not bound to dissent and consider himself pledged in order to attempt to punish him? Does not this substitute therefore involve the declaration on our part that if hostilities are used we will commit ourselves as against the party who first uses the hostilities—we will commit ourselves as those who are injured and offended. I apprehend that it involves it plainly, and the redemption of that pledge may consist in our taking part in the actual hostilities that may be carried on. Again, the substitute says, we shall take this action *on the commencement of hostilities.* Gentlemen, what shall be the commencement of hostilities? What does the substitute mean when it says that the commencement of hostilities shall be regarded, &c? Shall this commencement be when another vessel of war comes into the harbor or near the harbor of Pensacola,—with marines, sailors, and possibly some soldiers on board? Is that the commencement of hostilities? Or is it when the guns shall be opened from the land upon that vessel; or when a vessel of war with all her armament and soldiers on board comes into our waters, though she may never have fired a gun, or made any hostile demonstrations? A case may happen similar to the case of which we were informed by the newspapers the other day, when some person at one of the batteries on shore discharged a gun that was pointed at Fort Sumter. Major Anderson immediately ran out his guns to answer, but was prevented from so doing by a messenger with a flag of truce, who informed him that it was unintentional and undesigned. Suppose that flag had not been sent and Major Anderson had discharged his guns at the citizens who were at the battery, and the question would naturally arise, who commenced the hostility? Yet we are to be offended, and to determine upon the fact of an unfriendly action; we have *pledged ourselves* to do so.

I regard the substitute, therefore, as containing within itself an undefined pledge on the part of the people of the State of Missouri that they are to engage in a conflict, or become dependent upon every lie finding its way into the newspapers, for their action in regard to a conflict between the General Government and the Southern States.

I hold, sir, that this substitute, while it covertly involves all that is declared in the amendment, involves also a declaration that is hostile to the entire spirit of that report, as all of you, or at least most of you, will agree. It will be easily seen, by examining the language, that it is inconsistent with the designs for which this Convention has assembled. This Convention was assembled for the purpose of considering the *present* condition and relations of the State of Missouri to the United States and to the other States. It was never expected by the people that we should make declarations that should run through any number of years, or look to any subsequent period in the history of the country, for the fulfilment of our declarations.

The amendment says we will never countenance or aid a seceding State in making war upon the General Government, and will never furnish men or money to the General Government to coerce a seceding State. What is the condition of those States that have seceded? Some say there is a government already established. Some say they are already established, as a foreign power, and if you adopt the doctrine of secession, you are forced to admit that fact. If that be the condition of those States, what follows? That the United States must bear *national* relations to them, and *national* quarrels may arise upon questions that concern national relations and national interests; and shall we attempt to declare that if they should make war upon us, we will not furnish men or money to coerce them? Or if they do anything else that is unfriendly and hostile, that we will not defend ourselves against them? If they, as intimated in some newspapers, shall issue letters of marque and reprisal, thereby disturbing the commerce of the United States, shall we allow this infraction of our rights, for fear that we should be affording men and money to the Government of the United States to coerce them? No. If they assume a *national* character, they must bear national responsibilities. They must stand as a nation opposed, so far as their interest is concerned, to the nation from which they are separated. I say it is not proper that we should pledge ourselves that we will not furnish men and money when our salvation may depend upon our so doing; when it may be necessary to open the mouth of the Mississippi river to navigation, and make war against them as a nation, and destroy them if they, as a nation, committing national offenses, are unwilling to yield us our rights. Much as I desire to conciliate our Southern sisters, having all the feeling and desire to bring them back, having all the feeling that would induce one to offer to them every inducement to come back, having the strongest desire that they shall be reunited to the family from which they have been separated, and that we shall be harmonious in all the future; yet, gentlemen, if we exist for a few years in separate nations, we cannot but expect to see differences which must be settled as between one nation and another. When there are two nations permanently established in contiguity to each other, the history of the past shows that there will be border troubles; that there will be invasions by the people on one side of the rights of the people on the other; that commercial questions will spring up, difficult of solution, and ever liable to give rise to war. If the Southern States accept the position as a separate nation, they must stand to it; and those ties which now bind us together strong as the cords of steel—these sympathies that make us desire a restoration of harmony and re-union of all the parts of this country, will be severed—will be severed by the habitual distinction of nationalities—severed by the conflicting interests that will arise between the one and the other. Let us not, therefore, undertake to look forward to the future indefinitely, when we have been called to consider the present. Let us not look forward to the future when we ought to declare what is our present duty; and let us be content to declare that now, having our sympathies with the people of the South, and our interest bound up in the Union, we base all hopes on a returning spirit of harmony, and a peaceful settlement and adjustment of the present difficulties.

Such are the views which I entertain of the propriety of this substitute and the propriety of the amendment.

Mr. Moss. I do not now propose to inflict a speech upon this Convention, having had an opportunity of doing so in the outset, but I propose now to confine myself strictly to the question which is before the Convention. In doing so, permit me to say that in my humble opinion there is now no theoretical question before this Convention, and I would say to my friend from Buchanan, (Mr. Hall;) and my friend from Pike, (Mr. Henderson,) and others who have addressed this Convention upon the theory of this Government, that I have no quarrel with them. I do not believe in the right of secession. I entertain no such heresy. But I contend that we are now dealing with a great practical issue. No question of theory is now absorbing our attention for it is one of great public policy.—It is in vain to deny it. It is in vain to deny that a revolution has been set on foot. I do not say that that revolution has been successful. I deny it. I do not say that there are seven States now existing as a separate Confederacy—that they have succeed in achieving their independence. Far from it. I occupy no such position. What is my position? I contend, gentlemen, that a revolution has been set on foot, and I contend that, to prevent that revolution from swallowing up this Government, it is the duty of every Union man to aid in undertaking to *govern* that revolution. That is my position. It is now a great practical question: Shall we govern the revolution and at last restore peace and put the government on its old foundations or shall we sit quietly in our seats and discuss the theory of this Government, while the revolution is going on and threatens to overwhelm us in its mad career. Will we control the revolution or sit here and let that revolution control *us?* That is the question that is to be submitted to you, and these speeches that have been made here of three hours length, upon the theory of this Government, amount to nothing. In the days of the revolution, gentlemen, Lord North and his followers in the British Parliament, sat and discussed the theoretical right to govern and subdue her colonies, but whilst those theories were being discussed, the American revolution went on to a successful end, and now *Union* men, you who desire to restore peace and preserve the Government and establish it upon its ancient foundations, I warn you to beware of the policy of sitting here and talking about the theories of the Government while the revolution is in active progression. If you would control that revolution, if you would save the Union and thereby save your country, you have to act. I tell you that you cannot sit here and make speeches and make declarations about the theory of this Government, and the impolicy of denying the theory and all that sort of thing. Gentlemen, the theory *has been denied* by the States that have seceded. They have revolted, and now the great question is, "Shall they drag this Government into that revolution?" Shall they drag all the States into it, inaugurate civil war and wind up with the destruction of the whole? That is the question, and now I am proposing by this amendment to reach the evil. I believe that we, (and when I say *we*, I mean the Border States—I mean the States running from the Atlantic on the east to the great Sahara west, this desert that lies beyond us,) occupying the position that we do, and having the strength and the power, ought to stand up between the two warring sections and *command the peace.*

My worthy friend from St. Louis, the Chairman of the Committee, who has just preceded me, says that we are now speaking to powers we have no right to command. Whilst that is true, one of these powers, at least, claims the authority to command *us*. Now, how does this thing stand? There are some things about which the members of this Convention agree. In regard to some questions we are a unit. What are those questions? My worthy friend who sits before me, (Mr. Gamble) with the ken of a prophet, foretold, a few days ago, what would be our destiny in the event of a civil war. What did he say? He said if Missouri should go with the Southern Confederacy, in a military point of view, it was *annihilation.* That was the enunciation of a great truth, but it was not the enunciation of the *whole* truth. I say no matter where she goes; if she goes with the North or with the South, in a military point of view, it is annihilation; and in viewing it in that light, I am determined that Missouri will say she will not stand by peaceably and see herself annihilated. While there has been a discussion here in regard to the theory of secession, and the right of secession, no man upon this floor, I believe, has ever denied the right of revolution.—They say you have no right to revolutionize or resist the powers that be, until they become so oppressive that our condition becomes intolerable. Grant it—that is my view also. But suppose that the Government of the United States should require Missouri to do an act that would annihilate her: I ask if the demands of that Government would not be intolerable. Yet my venerable friend here has told you that whenever that issue comes, whenever civil war is inaugurated, Missouri is annihilated? What does he mean by that? He does not mean that an earthquake will swallow up our land and houses; he does not mean that the great Missouri would dry up to its fountain, and the Mississippi be obliterated; he means that your commerce would be destroyed, your houses would be desolated, your land drenched in blood, and that all that makes us now great, glorious and powerful would be swept away. That is what he means, and that would be our fate, no matter what happened in a military aspect. I tell you that I have been asked the question, Where will I go when that noble flag is torn down? Gentlemen, my hopes are anchored in the Union. When that Union is gone, there is no hope. As was said by the immortal Webster, "I have never permitted myself to hang over the precipice of disunion, to see what may lie beyond."

All my hopes are in the Union, and for that reason I say the border States should interpose their influence between the North and the South, to bring about a reconciliation. And if Abraham Lincoln should attempt to carry out the policy recommended by some of his Northern friends, to invade the Southern States, I say that we should resist such invasion, and drive him into the Atlantic ocean, or drive him into this great Western sahara, where a man travels four days and four nights without seeing a drop of water, and where nothing but a horned frog and rattlesnake can live. If I was a member of the Border State Convention I would go for a resolution on the part of the border States that no hostile army should pass through the territory of those States for the purpose of making war, in the attempt to adjust our present difficulties. I would drive them into the Atlantic or the great Western sahara.

As I remarked, I have been asked where will I go? What flag will I fight under when that flag is gone? I will illustrate that idea. You have all read the history of Saladin, the great Emperor of the East. He was a warrior and a statesman at the head of a great empire, beloved by his subjects and soldiers. At last, some fatal disease fixed itself upon his frame. His physician warned him that death was approaching. He felt its icy fingers closing around his heart, his friends made a royal shroud for him, that he might be buried like a king. His anxious people were crowding around his palace daily to hear of the progress of the fatal disease. When at last he found he was upon the verge of death, he called one of his faithful followers to his side, and said to him, "Go, take that shroud and hang it upon the point of a lance, and swing it from the battlements of my castle, and tell my beloved people that this is all that remains of Saladin the Great." Gentlemen, whenever you tear down that old flag, hang out a shroud, for that is the only thing that is typical of your fate. It will be the only emblem that is fit to represent the fate of this great Republic. I believe it as manifestly as I believe I am now living.

Mr. President, it has been said by the gentleman from Pike, that this is a Quixotic idea that has gotten into the head of the people—this thing of coercing a Southern State; and my friends, Mr. Hall of Buchanan and Mr. Broadhead of St. Louis, ask, gravely, what does it mean? I will answer you in Yankee style, by putting another question in return. I will ask, what do you mean by it? What construction do you put upon the word coercion?

Mr. **Henderson.** Subjugation.

Mr. **Moss.** My friend says subjugation. Then he can alter my amendment, if he chooses to do so, to the word "subjugation" instead of "coercion." Well, now, I ask any man of common sense in this audience, if you think there will be found any regiment in Missouri that will go South to subjugate a Southern State. Mr Gamble says it is annihilation if they do. He says he is responsible for every letter and syllable of the majority report. He says if that is attempted it is annihilation. I ask you, gentlemen, in that view of the subject, are you willing to stay here and see the Southern States subjugated? Yet, according to his report, all that we would feel authorized to do would be to say that we will regret—*regret!* Now, I tell you that whenever that thing is attempted, you will have civil war in Missouri; and I tell you further, that the action of this Convention upon the proposition now before you, will tell greatly upon the

Union feeling in Missouri. How do we stand here now? We see leading papers in Missouri who represent the Republican interest claiming that this Convention reflects their sentiments. The friends of Mr. Lincoln will say to him, look at the Missouri Convention; they there intimate that it is their duty, whenever you call upon them to invade Southern State, to obey the summons; they have voted down a proposition saying that the citizens of Missouri will not do it; take courage, sir, take courage—Missouri is with you.

Gentlemen of the Convention, you may be able to dispose of that feature in that case. You are men of knowledge and intelligence, many of you statesmen and lawers, and you can satisfy your own minds about this. But I tell you, whenever it goes out to the people of Missouri that you are not opposed to coercion, in any and every form, it will make secessionists by the hundred, and I as a Union man have offered this Union resolution, because I believe it to be the best Union project that has been suggested by this Convention. I believe it sincerely. I believe that we will eventually bring back our brethren of the South, in spite of the efforts of their leaders, and I am now for saying to Mr. Lincoln, *we will not* aid you in invading and subjugating a Southern State.

Now, Mr. President, I desire to direct your attention for a moment to the illustrations that have been made by my friends from Pike, and Buchanan and St. Louis. They talked very well against my amendment until they attempted to illustrate my position, for when they did that, in my humble judgment, they made an utter failure. My friend from Buchanan says, suppose Georgia should conclude, as I believe she will, eventually, to stay in the Union—not to come back, mark you, for I do not believe it requires a treaty to get her back—I do not believe she is out—suppose the people of Georgia conclude to stay in the old Union, and to repeal her secession ordinance; suppose, then, he continues, the Southern Confederacy should undertake to prevent her; in other words, should *force* her out of the Union, does my amendment prevent us, then, from defending ourselves? Is there anything in it against the right of self-defense? And right here, in order to understand the scope and object of my amendment, you must look at the first part of the resolution—you must look at its first words. What does it direct your attention to? It says that, believing that the welfare of Missouri depends upon the peaceful settlement of—what? A settlement of our present difficulties. What does that amendment pledge the action of Missouri to? It pledges her action to the settlement of our difficulties. The fifth resolution, which was penned by my worthy friend before me, refers to that question.

Mr. Gamble. I desire, if the gentleman will permit, me to interrupt him, to explain the extent of my authorship. The resolutions were not drawn by me. The report, which is the argument in support of the resolutions, is drawn by me.

Mr. Moss. Well, I reckon the gentleman stands on that resolution, whether he wrote it or not.

Mr. Gamble. Yes, sir.

Mr. Moss. Exactly. I am referring to what the resolution says. It is directed to the settlement of our present difficulties, and in my amendment to that resolution, I begin by stating that the peaceful settlement of our *present* difficulties is all we can hope for, and then express the belief that we will aid neither section in making war upon the other. That, Mr. President, does not prevent the State of Missouri from defending herself when she shall be invaded. A great many attempts have been made to illustrate this point. My friend from St. Louis makes this illustration. He says: Suppose this military bill should pass the Legislature. [I should say that I have never read the bill, and depend for information as to its powers upon the gentleman,] and the Governor should declare that we are under a military government; that he has the right to call out his soldiers and have our citizens shot down for speaking disrespectfully of him, or committing some other similar offense. Now, is that an illustration of the case? I ask my friend from St. Louis, what would be the remedy?—Would he wait to apply to the General Government for power to put down the Governor of the State of Missouri, who was acting in obedience to the law passed by her Legislasure?

Mr. Broadhead. The gentlemen does not seem to have exactly understood my position. I took this position: If the Governor should think proper to carry Missouri out of the Union, and use the military force given under this bill to carry out that object, he would be committing an act of treason against the General Government, and we should have the right to call that Government to defend us, if necessary.

Mr. Moss. Well, I presume that whenever the Legislature of Missouri attempts such an act of usurpation as that, and whenever the Governor of the State undertakes to carry it out, the remedy will be a very short one. It will not be an appeal to the powers of the Federal Government, but it will be a very short remedy. It will consist of ten feet of grass rope and a good oak limb. I presume that in that contingency, that the people of Missouri will undertake to take care of their own destiny, without appealing to the General Government.

I can see no case, Mr. President, that has been cited by the opponents of this amendment, that illustrates the point in any way whatever. No parallel, no case, has been cited, that will demonstrate the fallacy of the position I occupy.

Now, in conclusion, I would just say, that, as a Union man, believing that our salvation depends upon the salvation of the Union, I have presented this amendment, and have advocated it in all sincerity, believing it was a peace measure; and if it shall be voted down by this Convention, I will submit; will then vote for the majority report, because I believe it contains a declaration of great truth. But it does not go far enough, in my opinion, and if this amendment is voted down, I shall still be a Union man; I shall go home and fight the battles of the Union, believing that our hopes are anchored in the Union. But, Mr. President, I shall go home with a heavy heart; I shall go home, feeling that this Convention has failed to put Missouri in an attitude which I think she ought to occupy in regard to our present difficulties.

Mr. ORR. I suppose it is not necessary for me, after what I said on a former occasion, to say anything more in regard to my belief of the Union proclivities of the gentleman. I have no doubt but he is as good a Union man as can be found; but he has advanced one argument which I think proper to refute. It is this: That some *leading* Republican papers of Missouri take the ground that this Convention agrees with *them*; and if, therefore, we *do not do something* here to show the world we are not agreeing with the Republican party, we will build up secessionists by the thousand. I believe the Sacred Book in some passage says, Do you believe there is one God? You do. Very well; the devils also believe and tremble. Now, if this argument is worth anything, because the devils believe in a God, we must believe that there is no God—because the Republican party are to-day for the Union we must needs be against it. I hope never to face my wife again, if I am not able to say that I am as good a Union man as any Republican in this country.

Mr. TURNER.—I wish to ask, sir, what will be the effect of the adoption of this substitute?

The CHAIR. It will then occupy the precise position of the amendment of the gentlemen from Clay.

Mr. TURNER. I had intended to say nothing until the question should come up on the final adoption of the report presented by the majority; but as I will be called upon to decide between the substitute and the amendment, I will state the reasons which will govern me in voting for the substitute. I regard that amendment as putting Missouri in a state of insubordination to the General Government. I believe that either as a State, or in our individual capacity, we have no legal right to say that *we will not* furnish men or money to the General Government when it demands it at our hands. It will be sufficient time for us to say what we will do when such a contingency does arise. When the General Government calls upon the State of Missouri for men and money.—It will then be proper for us to determine whether we will submit to the call of the Government, made in a legal manner, or set ourselves up in insubordination. I presume there is not a gentleman upon this floor who will contend that the General Government has not the legal right to call upon the States for men and money under certain contingencies. I say, then, that when it does call, it will be time enough to determine our action.

I regard this as a pestiferous amendment to the resolution. The original resolution condemns coercion, civil war and strife of any kind, between the seceding States and the General Government.

I would call the particular attention of this Convention to the wording of the amendment. No man will deny that the General Government has not the *legal* right to call upon Missouri for men and money; and I presume no man will have the hardihood to contend that the seceding States have the same legal right. Then, sir, I think when we say that we will not furnish men and money to the seceding States, we are within the scope of the Constitution; but I say, furthermore, that whenever we declare we will not furnish men and money to the General Government, we are going outside of the Constitution, and trampling it under our feet. Hence, I believe, sir, that the adoption of the amendment would be calculated to make secessionists at the North and secessionists at the South. Instead of bringing together the parts now separated, in feeling and in sentiment, we would widen the breach.

So far as the substitute is concerned, I prefer it to the amendment, but do not think it as good as the original resolution. I shall, therefore, after having voted for the substitute and against the amendment, vote for the original resolution in preference to the substitute.

Sir, the terms of this amendment are not consistent with the position we occupy. [Reads the amendment.] Now, according to my view, we are part and parcel, and a very important part, of the General Government ourselves, and we may well say that we will NOT furnish men and money to make WAR upon ourselves. But when we are asked to go further, and say that we will not furnish men and money to the General Government that has given us protection, and to whom we look for protection and the defense of our rights. I say I am not willing to vote for it. Again, why has not the word WAR been substituted in the amendment for coercion? The former is plain and explicit, the latter is liable to various constructions. If the word coerce had but one definition, I could understand it. But with as many definitions and as many significations as are given to it now by politicians, I say I cannot conscientiously vote for the amendment.

I think I have shown, Mr. President, that we do not hold the same legal relations to the seceding States that we do to the General Government. If we did, it might be proper to say that we would not help either of them. As it is, Mr. President, if the country, whose flag has protected me from my infancy to the present time, should call upon me for money, if I owned any, and it needs my services, and is in the RIGHT I, will cheerfully give both.

I wish to notice one more argument and I am done. The gentleman from Clay has said that if this amendment was voted down, the men of the North will say to Mr. Lincoln, don't you see that the Missouri Convention favors coercion? And they would use that as an argument to coerce the seceding State. Now, by looking at the original resolution, no fair-minded man can come to such a conclusion as that. In that resolution it is clearly laid down that we are opposed to coercion, or civil war, or strife of any kind, between the conflicting sections of the country, and we need only adopt it in order to stand pledged to this sentiment, and against coercion.

The substitute was then put to vote and lost.

Mr. REDD offered the following amendment to the amendment: Amend by adding to the end, after the word "State," the following words: "While any hope of such adjustment remains."

The amendment to the amendment was put to vote and lost.

The question then re curring on the amedment of Mr. Moss, it was rejected by the following vote—ayes 30, noes 61:

AYES.—Bass, Bast, Brown, Chenault, Collier, Comingo, Crawford, Donnell, Dunn, Frayser, Flood, Givens, Gorin, Harbin, Hatcher, Hill, Howell, Hudgins, Knott, Matson, Moss, Norton, Ray, Redd, Sawyer, Sayre, Sheeley, Walter, Watkins, Woodson—30.

NOES.—Allen, Bartlett, Birch, Bogy, Breckinridge, Broadhead, Bridge, Bush, Calhoun, Cayce, Douglass, Drake, Foster, Gamble, Gantt, Gravelly, Hall of Buchanan, Hall of Randolph, Henderson, Hendricks, Hitchcock, Holmes, Holt, Hough, How, Irwin, Isbell, Jackson, Jamison, Johnson, Kidd, Leeper, Linton, Long, Marmaduke, Marvin, McClurg, McCormack, McDowell, McFerran, Meyer, Morrow, Noell, Orr, Phillips, Pomeroy, Rankin, Ritchey, Rowland, Scott, Shackelford of Howard, Shackelford of St. Louis, Smith of Linn, Smith of St. Louis, Tindall, Turner, Woolfolk, Wright, Vanbuskirk, Zimmerman, Mr. President—61.

ABSENT.—Messrs. Doniphan, Eitzen, Maupin, Ross, Stewart, Welch, and Wilson.

SICK.—Mr. Pipkin.

EXPLANATION OF VOTES.

Mr. BIRCH. In explanation of my vote upon this amendment, and as a reason why, in the main, I shall acquiesce in the report and resolutions just as they are, it is but necessary to refer to the action of the Convention upon the preliminary institution of the committee which drafted them, to wit: the Committee on Federal Relations. To the rather broad and indefinite resolutions which were offered by the distinguished senior delegate from St. Louis, (afterwards but naturally and properly appointed chairman of the committee) it will be remembered that I deemed it appropriate to offer a substitute, with the avowed purpose of testing the sense of the Convention, and to go to the committee, in the nature of *instructions*, as to the scope and texture of their report, namely: "To report to this Convention such an exposition and address as shall properly denote the views and opinions of those who look to the amicable restoration of the Federal Union, upon such adjustments of the past, and such guarantees for the future, as shall render it fraternal, permanent and enduring." Upon an amendment which was offered by the delegate from Cole (the Attorney General) for the purpose of giving the necessary completeness to the substitute, the Convention divided, with three majority against me—thus indicating its desire, after the short explanatory debate between the delegate from St. Louis and myself, that the committee should *not* be instructed according to the spirit and purpose of my substitute. Regarding the question, therefore, as thus virtually decided against me, a respectful deference to the apparent decision of the Convention, and a becoming respect for the committee which was subsequently appointed to take the whole subject into consideration, have constituted my motives for not participating in the debate to amend or alter their report. As a whole, therefore, (for the reasons alluded to,) I have found myself inclined to vote for the resolutions of the committee—albeit I would have written them somewhat differently, as (I may remark again) I *sought* to have them written differently. I may perhaps be pardoned for adding, that had I written them myself, both the report and the resolutions should have recognized at least the *possibility* of a period when even *I* would be willing to fight, as denoted in my speech last week, but which, notwithstanding the able exposition of my colleague, (Mr. Dunn,) I still understand the amendment as pledging me *not* to do. As, therefore, the voice of the State is emphatically expressed in the resolution of the committee against armed intervention of *any* kind; and as that and other resolutions of the committee embody substantially the language and spirit of the resolutions of the constituency whom I have the honor, in part, to represent: and as the succeeding resolutions of the committee very properly provide for our re-assemblage *in the event of exigencies not now anticipated,* I shall content myself with such a concurrence in the general views of the committee, as will prevent me from seeking either to mar the symmetry of their report, or the more satisfactory symmetry, and significance of their resolutions. I therefore vote in the negative.

Mr. **Sol. Smith.** This Convention having been called "to consider the *existing* relations between the Government of the United States, the people and Government of the different States, and the Government and people of the State of Missouri," I do not believe we are called upon to pledge the State as to its action in any contingency which may arise *in future.* We are now witnessing—I might say *experiencing*—the effects of a pledge made twelve years ago by our Legislature; I refer to the celebrated Jackson resolutions, which have been recently revived and adopted as a platform on which the two branches of the Democracy have united at Jefferson City; and I am unwilling by, any vote of mine, to indorse that or any other pledge that may require the people of Missouri, under any circumstances, to resist the Government in the performance of its legitimate duties. Mr. President, I am against secession—I am against coercion; and as my sentiments on those two subjects are satisfactorily expressed in the first and fifth resolutions reported by your Committee, I shall vote against the amendment.

Mr. **Woolfolk.** As I have not engaged in the debate, I desire to make a few remarks in explanation of my vote. I shall vote against the amendment, not because I favor coercion, but because I am unalterably opposed to the doctrine of coercion. The amendment, in my opinion, contemplates coercion by the Federal Government, when that Government has as yet indicated no such intention. It even invites coercion by pledging Missouri to neutrality, in case it is attempted. The original resolution will be more potent to prevent coercion than the amendment. Hear its concluding clause: "We therefore earnestly entreat, as well the Federal Government as the seceding States, to withhold and stay the arm of military power, and *on no pretense whatever,* bring upon the nation the horrors of civil war." We here, sir, plainly declare that in no event will we sanction the use of military power by the Federal Government—not under the pretense of enforcing the laws or "the pretense of" sustaining and preserving the Union. We plainly recognize by this resolution, sir, that the Union is not to be preserved by the sword. But the amendment offered by the gentleman from Clay will, if adopted weaken Missouri's influence for good with all portions of the Union. It will lessen her influence with the loyal States, because it commits her to nullification. It will alienate from her those States that are not loyal because in the event of war it commits her to neutrality. Missouri should lift her voice against coercion and in favor of peace—but beyond that she should not look. If coercion should be attempted—if civil war should ensue, it will be time then, with all the facts before us, for Missouri to take her position. Leave this question as one of the secrets of the great future, feeling that if the issue is ever presented, Missouri will meet it as she should—that she will act wisely and well. She will consult her duty, her honor and interest, and if circumstances shall require that her sword shall be drawn from its scabbard, I feel well assured, sir, that she will fearlessly fling it into the scale of justice.

Mr. **Noell.** I shall vote "No" on this proposition, not because I am in favor of coercion, but because I think the original resolution preferable in its wording and spirit. I am opposed to coercion in any manner, shape or form. I have not said any thing in the debate which is progressing, from the fact that I did not think that I could say any thing of importance in addition to what has been said by other members. I do not think it is right to pledge Missouri to any particular course. I believe that the original resolution pledges the State so far as necessary, and that this thing will work out all right. I think Missouri always will be opposed to coercion, and I know that, so far as the people of Southwest Missouri are concerned, they are bitterly opposed to it.

CONCLUSION OF PROCEEDINGS.

Mr. **Wright.** I would move that we adopt the first resolution reported by the majority of the committee.

The **Chair.** Your motion is to take those resolutions up in their regular order?

Mr. **Wright.** Yes, sir; and I move that the first resolution be adopted.

Mr. **Gamble.** If the gentleman will yield the floor, I move that the House now adjourn.

Mr. **Wright.** I will yield the floor on condition that I am entitled to it on the re-assembling of the Convention.

The **Chair.** That is the understanding.

Mr. **Sheeley.** I desire the gentleman from St. Louis to withdraw his motion for one moment. A communication was made to this Convention, a day or two ago, by the Directors of the Agricultural and Mechanical Association, offering to present to each member a copy of their Fifth Annual Report, if acceptable. I have a resolution accepting the offer, and tendering the thanks of this Convention for it.

Mr. **Crawford.** I believe that it is generally the custom not to thank anybody unless there has been something to thank for. We are called upon in that resolution to thank for books received, and yet I have not been able to discover any of those books around me. I think we should each first get a copy before we undertake to pass a vote of thanks. [Laughter.]

The CHAIR. The books are with the Secretary, and it is understood that he will attend to their distribution.

The resolution of Mr. SHEELEY was then adopted.

The Convention thereupon adjourned.

FIFTEENTH DAY.

ST. LOUIS, MARCH 18th, 1861.

Met at 10 A. M.

Mr. PRESIDENT in the Chair.

Prayer by the Chaplain.

Mr. DONIPHAN rose to state that he had been unwell on last Saturday, and wished to record his vote in favor of the amendment of Mr. Moss.

Mr. WRIGHT. Mr. President, the first resolution reported by the majority of the committee declares that at present "there is no adequate cause to impel Missouri to dissolve her connection with the Federal Union, but on the contrary we will labor for such an adjustment of existing difficulties as will secure the peace, as well as the rights and equality of all the States." This resolution, Mr. President, involves a wide and important inquiry. I was astonished to hear from some members in this body, that it was not profitable under our present exigencies, to determine the nature and character of the Government under which we live—that all theories touching the form and nature of government, are not practical in this exigency, and that all mind or genius spent in that direction is a waste of intellect. If I thought so, Mr. President, I should not rise in this body to make a speech at all. But on the contrary, I hold, sir, that this resolution makes such an inquiry as that, the most pertinent of all interrogatories: how can we determine whether we ought to break it up or hold out, unless we appreciate its nature. Is it a military government? Is it a consolidated government? Is it a national government? Is it any government at all? Or is it a thing that can be dissolved at the whim—and caprice and pleasure of any of the actual or supposed parties to it. This birthright of an American citizen, what is it, Mr. President? Is it an estate at all? We—you and I, sir—have been proud of it from the first moment that we had conscious thought on the question of liberty. It gratified us in our youth? And it has been the admiration of our manhood. What is this birthright of an American citizen, not the question of your right to live in Missouri as your home, or in Virginia or Tennessee, but the right to hold that other, and that broader, and that larger title, the title to be an American citizen, whose home and country is not the State in which he lives, but who can rightfully and proudly claim that his empire stretches to the widest and utmost verge of our boundary—bounded by two oceans—reaching to the cold regions of the North, and going South to the semi-tropical clime.

Now, sir, the inquiry is a most pertinent one. Is it an estate at all? If an estate, what sort of an estate? Is it a fee simple? Is it what we lawyers call a free hold or life estate, or is it a term of years,—long or short? Or is it a tenancy at will? A possession that we must give up upon notice to quit, served upon us by another? These are all pertinent inquiries, necessary to the solution of our wisdom or our folly in adopting or rejecting the resolution that comes first from the majority of the Committee. It is just as important that we should understand the nature and character of our Government, to determine its value, as that we should ascertain the source and nature of those ills of which we complain in order to determine their actual force and importance upon our minds. So that it is manifest upon the very face of the resolution that the most important and grave inquiries connect themselves necessarily with it, if we are to use mind and reason at all, in solving the inquiry, shall it pass or shall it be rejected?

Entertaining this view, I shall try to occupy the time of this body with some remarks upon the nature of our Government. And first, is it a military government? Does its power lie in the sword? Is its force the force of the bayonet? Is its strength resident only in martial phalanx, and to be felt in the power and clash of arms? Sir, it is no military government. If it were I should not love it. If it were, you, sir, would never have been proud of it, nor I. It would have had no hold upon the affection of the American people, if it had been a military government. That is a despotism. It is the weakest power in the world, and yet the most destructive. This Government is a Government whose strength lies in its justice, and its great power is the greatest power of the world—it is *moral power*, it is *intellectual power*, it is a power that addresses itself not to the nerves, or flesh, or bones and muscle of men, but makes its appeal to the calm, reasoning, and God-like, lofty, noble qualities with which man has been endowed by his Maker.

Is it a consolidated government? No, it is *not* that. For consolidation itself would concentrate power so as to be destructive. It is no military government, and it is no consolidated government. What, then, is the character of this government? It is a government in which the chief distinguishing characteristic is the distribution of power into many hands, so that it shall be hurtful nowhere and a blessing everywhere—power distributed first to the General Government, power distributed next to the States, and power *not* distributed at all, but resident in the great fundamental source of power, the people of these United States.

But what is the chain that binds us together? Is it to be sundered at option, CONSTITUTIONALLY, peaceably, by any one of the parties that made it? Is it what these chemists call the *argillo calcite*, that decomposes and dissolves by mere exposure to the atmosphere, without any chemical action? Can I go to bed one night, thanking God, the Father above, for the blessings which he has scattered broadcast over my life, and among the praises shall thank him for the birthright of an American citizen; shall I sleep the sweet sleep of a freeman, under the idea that I am secured by the laws and institutions of my country, by a power stronger than that which surrounds a crowned head in his armed myrmidons; and wake up to fresh life in the morning and come down the street and be told on its corners that this Union is dissolved—that I am no longer an American citizen! Why? Because South Carolina has dissolved it. And if she has not, Florida did it—and if any aid were necesary in the work, Georgia furnished it, and the supplemental finishing of this destruction was completed by by the joint labors of Mississippi, Louisiana and Texas. Is that so? Is this a government? Am I now an American citizen? Who can believe that it is so? or, if it be so, I should not cherish the title, for it would be solvable at the mere will of another.

But, coming nearer home, can the State of Missouri rob me of my birth-right through the exercise of a Constitutional power, called the right of secession? Can she rob me of my right to fight for my Government in her midst, if I think the Government right and rebellion wrong? Can she tear from me the sacred right of revolution, which, though a dreaded and terrible and sublime power upon the earth, under the limitations which our British ancestors and our own fathers have placed upon it, is one of the great conservative powers of this earth—the friend of liberty and not its oppressor? I have always known that revolution might destroy my title of an American citizen, but I have always known likewise that the red hand of revolution could never accomplish that until my birth-right was valueless, and revolution came up to me and said I strike *for* your liberty and not *against* it.

In these days and this wild reign, not of terror I will not say of *terror*—I will drop the t— in this wild reign of *error*, it is very fit that we discuss this question of right, the constitutional right of a State to dissolve this Union. From what sources do those who are for this proposition derive the power?—First it is said that the States who made it were independent, sovereign States. Well. *Secondly*, that they have reserved powers to themselves. Grant it, also. Thirdly, that being sovereign and independent States, they can resume their sovereignty whenever they choose. So that, according to this argument, the right of peaceable, constitutional secession, springs out of the nature of our Government, out of the character of the parties who formed it, and the inherent, inalienable and untransferable power of sovereignty which originally belonged to the parties who entered into this compact

Now let us practically test this thing by the Constitution itself. I would say to the gentleman from Marion, (Mr. Redd,) that his ordinarily clear and logical mind, has been lost in the transcendentalism of secession metaphysics. I would ask him if he thought that when this Government bought Florida, not for the value of its soil, not for anything but a military reason, in order that this Government might hold the key to the Gulf of Mexico—I will ask him whether, if she was in her territorial form, she could take the step she has taken? I imagine that the intellect and candor of the gentleman would answer *no*. Why? Because, he would say, she is not a sovereign—she is a mere dependency; her people live by such organic acts as the Government of the United States may think proper to spread over her Territory; she is a pigmy now, and there is no such thing as a power resident in her to break up this Government—but by and by she will be a giant, and when she is clothed with this immaculate power of sovereignty, why, of course, she may go back and occupy the identical position of Virginia on the day that she helped to make this Government, and may resume the inherent powers with which she is now clothed, and the moment she takes her place fully, freely and perfectly as a State in this Union, may then claim it as an independent and constitutional right to break it up.

I have read the speech which seems to have furnished the staple for some of the arguments in the Convention, (the speech of Mr. Benjamin, of Louisiana,) a speech which I find circulated broadcast throughout this land, and it has fallen with tremendous power on our Capitol and the men in it, and especially those who rule in it. It says: "Read, Missourians! and be prepared to defend your rights by argument as well as by arms, the great speech of Hon. J. P. Benjamin." Mr. Benjamin's speech itself is nothing more than a rehash of old arguments furished in the troubles of 1833.

He has not advanced one new idea in that argument, but he has revamped and ressurected ideas in favor of this heresy, and spread them abroad, and they have obtained currency through the epidemic passions of the hour. Because the States were sovereign and had reserved rights, and especially because, as the gentleman said, they delegated power and did did not grant any; therefore, the resumption of this power is a logical inference, and each State that entered into this Union at the very moment of making it reserved to itself the power to break it when she thought proper. It is true Mr. Benjamin says that she has only the right to do it in a clear and palpable case of violation of the Constitution.

Mr. REDD. I desire to say that I do not know what Mr. Benjamin's position is, but my position is that by the law of nations, when a compact is entered into each Government has the right to dissolve its connection with that Government when that compact is violated by the one party—that the injured party has the right to declare the compact, in so far as that party is concerned, broken.

Mr. WRIGHT. That is precisely Mr. Benjamin's position, that by the law of nations and by the hand of sovereignty, and by the fact that the powers were delegated and not surrendered, a State can dissolve her connections with the General Government at pleasure; but, he says, a State can dissolve the Union by the exercise of its Constitutional right, and is not driven to the necessity of revolution in a *clear and palpable case* of violation of the Constitution. The trouble about that argument is—who is to judge whether it is palpable or not. Where is the power to determine? If a State can do it, how do you impose the limitation upon the power. The logical mind of the gentleman from Marion must see at a glance, that the power Constitutionally to secede from this Union, under any limitations—which are limitations only from the power that secedes, is a power without any limitations at all. Mr. Benjamin in his speech, quoting the provisions of our Constitution, italicises, as my friend from Marion did, the word delegated, the point upon which the whole thing hangs, according to my friend from Marion. If it had been "*granted,*" or "surrendered," it would have been different—but it is only the "delegation" of the power. Now Mr. Benjamin had to read in the context that whole proposition of the Constitution, and it is short, and I ask the gentleman from Marion, or any other gentleman about whose mind hang the cobwebs which fetter its reason—and I would almost say defferentially and respectfully, fetter its patriotism—I ask his attention to the whole of this provision of the Constitution. It reads "the powers not delegated by the States, nor prohibited to the States, are reserved to the States *themselves, or the people.*" What is his error? In the first place is a delegated power reserved? A power delegated. Is that reserved? Is a prohibited power reserved? *Every man knows that no* reserved power can take away a granted one, and it is equally manifest that no reservation can take away a power expressly prohibited. So that a reservation is what? A reservation is what is left after taking out the powers *delegated*, and the powers *prohibited* to the States, and then the residuum is the reservation, and that residuum is distributed in some cases to the States, and in some cases to the people.

Mr. President, the framers of the Constitution were men who matched words well to thoughts; they understood the character of the government they were making, *and this, their* sentence in the fundamental law, throws a flood *of light upon the whole instrument.* It is the key by which you unlock all its mysteries. It presents the only government on earth with such a distribution of power. In other words, it is the invention of the American mind, brought into living action by a great crisis, in so far as we can look upon their action as an independent and spontaneous movement of the human mind. I do not believe we say the whole truth when we say it was the genius of America; it was the profound sagacity of our fathers, met in council, that made that instrument. I believe as firmly as I stand before you this day, that they were helped to it, that there was a Providence that shaped their work, the same Providence which raised up Washington, and which discovered this continent at the right hour and time—the same Providence which not only went with us to battle but sat by us in council, and stilled the waves of passion which might rise in that body, and at last produced such a result as the world has never seen. The people, the source of power—not the divine right of kings—distributing the power in the first place to the States, and reserving to themselves the powers which they did not grant, then distributing powers affirmatively to the Federal Government—next prohibiting power to the States and ever so distributing it, as to make power beneficial everywhere, and hurtful nowhere. That is by distributing power in no such wise as to make any sovereign anywhere. They held the residuum in their own hands. We talk familiarly about the sovereign State of Missouri; the sovereign State of South Carolina; the sovereign State of Louisiana; the sovereign States of Texas and Florida. I deny it. There is not a roving tribe of Indians between this and the smooth sea, nor a band of Bedouins in the Arabian desert, that, in the sense of publicists and jurists, are not more sovereign than any State in this Union. Mr. Benjamin says—that a sovereign State, according to his notion, that a government itself, under whatever form soever, without dependence on any foreign power, is a sovereign State. Let me suppose a case. These publicists have never written about our plan *of government.* The *misery of this word* sovereignty is this, that lawyers and statesmen read the books of Europe—Grotius, Puffendorff, Vattel—and they all talk about governments unlike our own—and we get the idea of sovereignty from them, and we attempt to apply it for want of better terms, to our own Government. But let me ask the gentleman from Marion, (Mr. Redd,) and I select him because I respect his intellect, because I know he is blest with large powers from above, and because, therefore, I have more interest in his error than if he were a stranger. Suppose there had arisen up in Europe a government contemplated by Vattel, Grotius and Puffendorff and other publicists of the world, there is no place to locate it because there is no such government in Europe. But,suppose there were one in Europe and having no power to make war or to conclude peace—no right to coin money, nor any authority to regulate commerce. Suppose it could not grant letters of marque and reprisal, that it could not send any Ambassador to any court in the world, that it could not collect tonnage duties without the lawful consent of another government, and that after obtaining consent it would have to take the proceeds and put them in the Treasury of that other government. Suppose, in addition to that, every citizen in that country, or every subject, was bound by an oath of allegiance to another government, a superior and paramount allegiance, and suppose every one of its officers before they could act in that state, would have to swear to support that other government, and swear that when a conflict took place between the powers of that other government and its own, that it should side with a foreign power. Suppose it was a State that could not use uniform weights and measures; could not pass any bill of attainder. Would Vattel say that was a sovereign nation or an independent nation? I judge not.—Now, this imaginary nation I have spoken of in the old world, is identical with the nature of every State of this Union under the Federal Constitution. It would be a power incapable of maintaining itself in a conflict with nations. Would she be a sovereign State in any sense, and have the right of international law? She would not, but yet she would have power. Well, let us cast our eyes to another government. Suppose there were a government in Europe that could declare war and conclude peace; that could send ambassadors to a foreign court; that could coin money; that could establish a standard of weights and measures, and emit bills of credit, that could establish post-roads, although it would be doubtful whether it could make any other road having no power of eminent domain. Suppose it were a government that had the power of taxation—that could levy duties on imports and excises—and suppose it was a government that could not settle a landed estate—not having jurisdiction of the soil—that it could not determine an action of ejectment—or could not pass any statutes of distribution, what would they say of that government? I am describing the Constitution of the United States and the Federal Government. What would these publicists say of that sort of government? They would say this: It is limited in the most important matters—it has no municipal power and no police power. They would say of such a government; It is anomalous — it comes up to no standard of sovereignty in the minds of publicists. In the sense of the word the Federal Government itself is not a sovereign government. It is supreme in its sphere of action, but then its sphere of action is limited, and an obstruction upon sovereignty. But are these governments less valuable, less efficacious as instruments of good and preservers and bulwarks, because shorn of this sovereignty. No, their precise value lies in the very difficulties of obstruction. Have we got no sovereignty anywhere in this country, will say the gentleman from Marion. Strictly speaking, no. The people are the source of power, and the people in it are the government, and are not an Athenian Democracy or mob. What can the people do? The people of America, the source and original fountain of an eternal living power—what can they do? Can they act as sovereign—collect taxes or make war—conclude peace or pass laws? No, they cannot do that. The sovereign people of the State of Missouri can change our form of government as it stands, provided they take a republican form, and provided they do not hurt the Constitution of the United States. But, the people cannot levy taxes—they cannot raise armies—they cannot make laws; the source of their power speaks only through a legitimate superstructure so beautifully erected as to perform all its appropriate functions in a healthy and becoming manner. It flourishes, because sovereignty in this sense does not exist. It is a grand invention of the American mind, calculated to make liberty more secure. Away, then, with this sentiment of the publicists; away with this doctrine of secession that springs from the idea that a State can resume its sovereignty, not only by taking away a granted power, but can go a step farther, and take away a prohibited power. Do you believe the wise men who made this Government, ever designed to so construct the instrument as to leave to any party the power to dissolve it at pleasure. My objection to secession is not only that it hurts our Government, but I go still deeper than that, for the argument reaches below it. I object to it, because if secession is right, there can never be any government on earth. Our Government will be the last, if secession be right. Nothing that shall be reconstructed with those destroying elements in it can ever live—because the most ordinary partnership between man and man can not exist upon that principle. I am a lawyer, and an old one—I do not say a good one—but in my practice, I have been called upon very often, and I presume not as often as others, to draw up articles of partnership between gentlemen to engage in business, and I never drew an article of partnership in my life, in which any two men would agree that their business and partnership should be dissolved at pleasure or at the will of any party to it. It is always drawn for a term of years, or it is to be dissolved upon mutual consent—or it is to be dissolved for cause specified in the instrument. There are not two men who seek the hyperborean regions of the North in search of peltries—outside of civilization, at least, outside of the functions performed by judges, sheriffs and constables—two gentlemen in the wilderness of the West would never so far stultify themselves as to enter into articles of partnership in conducting the fur business, without a distinct power, so that neither one of them should secede at will or pleasure, or so that one gentleman who got the most fur and the largest amount of proceeds could not take an auspicious moment for leaving the concern. I do not understand how our Southern brethren at Montgomery could build up a government holding in it this spirit of secession. I am clear that it ought to have provoked a smile on their part just as it is said that there are no two fortune tellers on earth who ever met face to face without a smile.

Do you think, gentlemen who favor this heresy of secession, do you think when we bought from Napoleon Bonaparte this valley in which we live, the noblest, richest, and proudest in the world--not excepting that of the Amazon—do you think they intended by the power of the Constitution that the moment they gave Louisiana, Arkansas, and Mississippi the proportions of a State, that they could wrest from this Government this great outlet and drain of the valley. Bonaparte knew of this valley and was proud of it. He knew two things—first, having to fight all Europe, he had not force enough to attend to this empire of the valley of the Mississippi. And second, he knew very well that the people of this nation would never permit anybody to occupy it but themselves, and under these considerations, and for a comparative pittance, he yielded it to this Government—this large empire of the valley of the Mississippi. Now, how does any gentleman suppose that the people of the United States, or in the first place, that the Government of the United States, was so framed as at the will and pleasure of Louisiana and Mississippi jurisdiction shall be taken of this river—that the right of free navigation should be destroyed, and that we should be cut off from the Gulf. Why, this country was obtained because it was necessary for this very purpose, and human blood would flow and make a large tributary to this stream before that right would ever be surrendered. I know it is said by our kind friends down South, who are taking jurisdiction of the Mississippi, that they are going to let us have the free navigation of the Mississippi. They have very good intentions, but we have got a much higher title than any they can bring us. They say now that a vessel coming up the Mississippi river, with freight from Europe or elsewhere, must stop and enter into bonds, and that within the territory of this new Government no freight shall be distributed. However much we may be bound by chords of sympathy to this government, by our institutions, however friendly we may think this government will be, what patriotic man in Missouri is willing to concede to any but the common Government jurisdiction over this stream? It is no question whether they will exercise the power immediately towards us—the question is whether you will give them the power at all. I do not suppose any practical gentleman here, whatever may be his tropical tendencies, will ever consent that the navigation of the river shall ever be dependent upon the most fraternal government that can be instituted in the South.

There are other questions that are involved in this doctrine of secession—there is a Territory between us and the Rocky Mountains called Desseret, occupied by aliens—men, scarcely any of whom have sworn allegiance to the country. They are the depositories of their own political power, but fortunately now, they cannot secede, because they have not grown up into the statue of sovereignty. But being admitted into the States, then they can instanter secede, and this Switzerland of America could pass out of our hands. They would doubtless have something to say upon the subject. If any reason was required as to their constitutional right, they could furnish one; they could say, doubtless, that they desired to live in fraternal association with the people of the States—that they loved the Federal Government of the States, excepting only that they were behind the age, and that they did not understand the religion of the Savior of mankind—that there are certain patriarchal rights which the people in this country are not civilized enough to recognize, except in Desseret; and because we want to live after the manner of the patriarchs, therefore we secede. Let us come nearer home. At Washington there rises a beautiful and proud structure that attracts the gaze of mankind, not only from its collossal and architectural proportions, but because it is the seat of power in this land; because the archives of the nation are preserved there, because the emblems of our power and the source of our authority are there, and around which all nations of the earth concentrate with their ambassadors—the point at which all treaties are to be matured; a point at which presides the only department of Government which represents her supreme power with the nations of the earth. It is the theatre in which patriotic genius has wrought its highest achievement and success. It is the sacred spot where Washington sat—it bears his name, and his virtues are commemorated in a monument, the stones of which were taken from every State, and which are inscribed with patriotic sentiments. Millions of money have been expended at this central point of our republican glory; but it is within the limits of what was once the sovereign State of Maryland. Can the Maryland Legislature, or a Maryland Convention, some of these coming summer days, sit down and write upon a piece of parchment these words: "We resume the sovereign power—not only such as we delegated, but such as we prohibited, to ourselves—we resume these powers by virtue of the inherent sovereignty which once belonged to us, and now, by right of eminent domain we will take this ten miles square, which includes the Washington Monument and the glories of this Republic; we will take them all by right of eminent domain, just as South Carolina claims to take Fort Sumter in the bay of Charleston." Who is there here, with that proper regard for the wonderful sagacity of the profound statesmen who made our laws; who, in this Convention, or in this hall, that would say that was the sort of government which our fathers made, and that it was by such alliance as that they bound us together. Mr. President, secession will not do, it is so destructive in theory to the very idea of government, that it cannot last before the scrutiny and gaze of reason. I do not like even its emblem.

I looked one day toward the Southern skies—toward that sunny land which constitutes our Southern possessions, and I saw a banner floating in the air. I am not skilled in herladry and I may mistake the sign, but as it first rose it presented a single dim and melancholy star, set in a field of blue, representing I suppose a lost political pleiad wandering through space. A young moon—a crescent moon was by her side, appropriately plucked from our planetary system as the most changable of all representatives known to it. [Laughter.] A satellite to signify the vissisitudes which must attend its career. The sad spectacle wound up with the appropriate emblem of the cross, denoting the tribulation and the sorrow which must attend its going. I could not favor any such banner.

"When freedom from her mountain hight
Unfurled her standard to the air,
She tore the azure robe of night,
And set the stars of glory there,
She mingled with its, georgeous dies,
The milky girdle of the skies,
And striped its pure, celestial white,
With streakings of the morning light.
Then from his mansion in the skies,
She called her eagle bearer down,
And gave into his mighty hand
The symbol of her chosen land." [Applause.]

The Chair. I will clear the lobby if there is any more cheering. If you desire to hear the speaking you must be quiet.

Mr. Wright. Mr. President, I have said enough at least, to show my views in regard to the character of our Government. Now, sir, before we break it up, let us see what this Government has done, I do not ask you to pause and consult your heart and the feelings and sentiments which actuate you; I won't ask you to worship it as a thing to be venerated; I won't ask you to love it simply because it is an inheritance transmitted to you by the Fathers, but I will try it by the standard, the touchstone and the achievements of men. I will try it by the work it has done in the world; I will try it by what it has accomplished, and see whether we should cling to it, see whether there is any cause why we should leave it or break it up.

What has it done? Eighty-four years ago, or a little more, we broke from Great Britain. We were then three or four millions strong; the colonies were dependent upon the mother government, and the policy of that government was to make it, as it is, the workshop of the world, a fact to which I shall call your attention some time during my remarks. But we were then cut off from all invention in machinery, and from any of those developments of mind which have since characterized it.

There was not an engineer in America when Fitch invented the steamboat. He had to use the common blacksmiths of the country to execute his conceptions; and ten or fifteen years later, when Fulton made his successful experiment, he had to get his boilers from England, and a portion of the machinery was made there also. But after we were emancipated from the thraldom of the British crown, in less than ten years after our Declaration of Independence, the first steamboat of the world floated on the waters of the Delaware, in the presence of the assembled Governor and people. Since that, look at what marvels we have accomplished. In the field of invention we have run past all nations of the earth, and such men as Cobden, the great commoner of England, who has been struggling during his parliamentary life to get the statesmen of England to follow the model of this country, said when he came here—or rather the Commissioners were sent by the Government of England, to look at the Crystal Palace, and at the genius and the inventions of the American mind—when these Commissioners went back to England, Mr. Cobden communicates with them, and he says at the Lyceum or Institute in Manchester—he tells the Crown that if England wants to keep up in this race with that country, which only a few years ago broke from the Crown, she must encourage a school for inventive genius. He tells them that England must develope this inventive genius, for she has fallen behind in the race in competition with her offspring, the young giant of the West. If the people of that country want to get a lock or a safe, they have to come to America for it; if they want to reap anything in a harvest, some man in America must furnish the machine; if they want a vessel that shall plow the seas and move triumphant over the deep, they have to get their ideas from the naval architecture of America. I remember when a boy my young heart felt fluttered, not with pride, but with shame when I read the inquiry of Darwin "Who reads an American book?" Since that time historians by the number rise and take their places with the standard authors of the world. By the side of Gibbon, Hume and Robinson and the later historians come Bancroft and Prescott, in literature that takes a place in the classic galaxy of the world. The forms of sculptured beauty that have come to us from the chisels of the old Greeks are now almost rivalled by one whom America sends to the land of arts. Educational institutions, freedom, Christianity and piety in all its forms have advanced in this country beyond the progress of any nation on the face of the earth within the period of time that has made us a nation. Our law makers are read as authorities the world over on questions of national law, and the disquisitions of our statesmen have a place side by side with the most celebrated publicists of the word. In every department of human progress, in all that belongs to us as an eminently christianized and civil people, we are behind no people in the world. This has been the work of but a few years; but in this race of national progress, we have achieved wonders and marvels that attract the attention of all mankind. There is not a man in the world who wears a glittering diadem on his brow that has not been looking at the progress of America with a sentiment of awe, and there are no people on this earth, down-trodden and oppressed as they may be, who have not turned their eyes towards America—as a Mussleman turns his face towards Mecca—with aspirations in their hearts, that if they cannot come here and live under the broad ægis of this Government, their children shall do it. And better still, by-and-by, under the moral influence of the institutions of America, their own unhappy country may at last arise above oppression, and secure to their posterity the liberties which we here enjoy. Every man in this country who is under the benign and protecting influence of our Government has been able to share and enjoy property to himself, and the fruits of his labors. The inventive minds of labor, in ordinary and extraordinary forms; all have their labors secured to them by the Government in which we live. If the mind is inspired with ambition for the highest walks of life, or if humble in its sphere, it is secure in all it loves to do; and everywhere the artisan, the farmer, the lawyer, the merchant, the manufacturer—all men feel alike, and share alike, the benign influence of this Government, so that now, rising step by step and higher and higher, she has got upon the topmost Alpine range, and while she stands there the world looks on in awe and admiration. And the question of the hour is, shall she, after having reached that point, and got upon the summit, and remained there long enough to secure the admiration of the world—shall she thus fling herself headlong from the summit? That is the question of the hour, and it is a question for this Convention and the people of America to consider. If that disaster shall come—if this stupendous suicide shall be committed, it will be the greatest fall the world has ever witnessed. And I trust that some new poet of the Fall will utter the shriek of humanity as she makes the downward plunge—and that from the abyss, the cry of agany may come—"in the lowest deep—a LOWER deep still threatens to devour me."

I believe we have no right to commit this act of suicide. We should disregard the rights of ourselves and of our children and of humanity. We have no right to break down all confidence in popular government. Look at the man of the red shirt in Italy—Garribaldi. Poor, unhappy, glorious Garribaldi! What must be the opinions of such a heart as his when he hears the news from America. Will not he say in his humble and unostentatious home, "Why shall I struggle then? Why shall the Po run red with rich blood when after all the struggle Italy must go back into the embrace of military despotism and monarchy? If America could not stand, how can Italy hope to do so? With such a start, with such men, with such ancestors to keep a government like that—if America could not hold on and keep up her institutions, why should my powers be exerted to make a government of that sort on the beautiful plains of Italy." We have no right thus to be the friend of the despotisms we are warring against. For this sacred trust did Washington rise—for this holy purpose were these institutions built! And men who are faithless to their trust cannot escape the ignominy and contempt which will be sure to follow.

Mr. President, I, for one, shall take no hand in this national suicide. I will not be false to my country, false to humanity and false to my allegiance. Now let me consider this resolution.

"*Resolved*, That at present there is no adequate cause to impel Missouri to dissolve her connection with the General Government; but, on the contrary, she will labor for such an adjustment of existing troubles, as will secure peace as well as the rights and equality of all the States."

There is no adequate cause, says the resolution; I grant it. But still we have a cause to complain. There must be some cause, real or imaginary, to have produced the effects which are now visible all through these States. Such public disorders have never presented themselves before. We have had critical periods before, but no trouble like the present, and one of the greatest difficulties about these troubles is their intangibility of character. Our sentiment of honor is assailed; our rights are invaded; not by law, but by declared purposes, and our equality is practically denied. Our sentiments of honor are wounded; our sensibilities are hurt, and there are dogmas and constitutional propositions rife in the land, which, if ripened into action would materially disturb us. The main cause, but not *the* only cause is this African question. That African question itself, has been exasperated, and intensified by other considerations which are not glanced at, except very incidentally in the report, and they have not been illustrated by any member who has arisen on this floor. The agitation of this slavery question is the most prominent cause of our public disorders; but behind that and cooperating with it is another cause, and that is the party spirit in this land; and that has arisen out of the immense patronage at the Federal head—a fruitful source of corruption, dividing and destroying the independence of our public men, and getting up a condition in political organizations which will seize, in all quarters, North and South, every element of fanaticism which may be valuable as a political power in the political condition of the day. We know enough of party among us—we need not go out of the State of Missouri to be assured of that fact; that parties, especially in times of excitement, will avail themselves of every obtainable element around them—whether fanaticism or anything else—party will avail itself of everything around it that can be converted into political capital. What is the result? One section of the country will be arrayed against the other, so that there is a positive emulation in parties in this country, and has been for twenty-five years, and between political organizations in this country, to see who can be most successful in controlling that element which will enable men to mount up those steeps that statesmen climb.

I do not propose to go into the anti-slavery agitation, but I have some views in regard to the question which, not having been submitted by others, I will endeavor to present. It is said by the Abolitionists of the North, that slavery is not only a sin, but it is a crime—that it is the sum and substance of all other crimes in the decalogue. These are men who have representatives in such characters as Phillips and Garrison. They say the Constitution of the United States is a covenant with hell, and that there is no provision in it which recognizes the relation of master and slave—that it is against the Divine law, and therefore they are for the destruction of our present Constitution. The Republican party of the North say, we stand between you and the Abolitionists; we rise up as an intermediate party; we do not claim to interfere with slavery in the States. The Abolitionists say it is a crime everywhere, that it is the crime of the age—that it is a human iniquity everywhere, and it must be destroyed. The Republican party say no, we will not touch it in the States; we have nothing to do with it in the States. It is surrounded by constitutional guarantees in the States, and more than that, we have that provision which makes the Fugitive Slave Law obligatory upon every man; but in regard to slavery in the Territories, they say that cannot be. Why? Now, just here we find the Abolitionists and the radical Republicans meet. The Republican does not say the Constitution of the United States is a covenant with hell and against the divine law. He does not think that the institutions of the South are absolutely wicked, but when they come to the argument why it shall not go into the Territories, then they take up the line of argument furnished by the Abolitionists, and they say it is a curse and a blot upon the country. Take the view that was given by Senator Baker—and I was sorry to see it, for he is my friend—because I looked upon that man as possessed of genius, and looked to his future rise—take his view as given in the Senate of the United States, and he says it is a black spot upon America. So when you come to argue with the Republicans why slavery should not be extended there, they take up the position of the Abolitionists, and declare it is immoral, a blight, a curse and a black spot on our institutions, and, although we won't trouble it or attempt to wipe it out within the boundaries of the States, it shall not extend beyond the boundaries. Well, now, in the best and most fraternal spirit, under the promptings of fraternal regard, under a state of mind which will enable me to pardon much where I see it associated with patriotism—in a fraternal spirit I would say to the people of the North, I will be conscious of your virtues and a very little blind to your faults, and in that spirit let me suggest to you some of the improprieties of that argument. You do not deny that the relation of master and slave is recognized by the Constitution. You say it is a constitutional right that the master should take back his fugitive from service. Now, if we were founding a government this day, we should have the element of the African among us and the element of the Indian—we should have to determine among ourselves what (if any) part of the rights should be conferred on the black man, in the distribution of power in the government that we were going to make. In the formation of this government you could,—if you thought so, take the ground that the relation of master and slave is void. But when living under the Constitution of the United States, supporting the Constitution itself—that fundamental charter by which all our actions must be measured—tell me what right you have to say that slavery is a sin? Tell me what right you have to say that slavery is immoral? Tell me by what right you say it is a curse? Tell me by what right you say, as a member of the American Confederacy, a supporter of the Constitution of the United States—what right have you to say it is a black spot on our institutions? Whatever is constitutional must be right. The political right of government is not a system of ethics—it is not a code of morals—nor is it an elaboration upon the virtues, and charities, and benevolence of the human soul. Of all practical things in the world government is the most practical. The Constitution of the United States is not an essay upon the rights of man; it is not an essay upon ethical doctrine, but it is practically laying down a government which is designed to secure the rights of every man and every citizen. Of all practical things in this world, I repeat, government is the most practical. It is nothing more than an actual scheme by which the greatest benefit is to be brought about to the greatest number of people. The object is to secure certain rights—life, liberty and property. If you want any other sort of government you have to go to the Utopian dreams of Plato. You might find in the Constitution which John Locke puzzled his understanding over—you might find some Utopian scheme in regard to government. But the men who framed our Constitution were not Platos nor Lockes. They were practical, sensible gentlemen, and knew well how to sacrifice a theory and make out of it some practical good. Don't you see, if you say slavery is a sin, that you charge that document itself with being a corrupt and immoral document? If slavery be a sin and recognized by the Constitution, the Constitution itself is a sinful and immoral document. Do you mean that, or have you only availed yourself of it in party strife, that you might fire the fanaticism around you, and beat the Democracy, and elevate yourselves? If you take that ground, you cannot do it without imputing immorality to the instrument which came from our fathers, an everlasting work, I trust—you impute to them dishonor—you say within itself it is corrupt. I do not know what you think of it on careful reflection, but it seems to me you must lose in some degree your allegiance to the instrument itself, when by your argument you impute to it the character of an immoral and sinful document. Such an argument is offensive. It is an assumption of superiority you have no right to claim. You may be more learned than the framers of the Constitution, but you impute to them necessarily, dishonor, and you offend our private character and you wound our self-respect in doing it.—I was uttering just such words as these, (being a Black Republican, and especially showing my principles by battling against Lincoln during the last canvass,) in the Military Garden of New York, when a gentleman in the crowd said: "Sir, you seem to be a fair man, and you tell me this territorial question is only important in one respect, and that is that the dogma of Republicanism makes it offensive. Sir, I am a candid man, and I think you are so, and I would like to have you tell me how I have been offensive in wanting slavery prohibited in the territories. I do not mean to do anything offensive. I like the people of the South, and I respect them." "Sir," I replied, "I think it is offensive. Do you not see practically that there are fifteen slave States, but you will have no more such; you tolerate such as have slavery, but you will not have any more such. You say practically in regard to the common territory—you say practically in regard to the Government, that the people can go there just as well as we can; but you say when a man South comes to the territory he must put himself in quarantine until he rids himself of a disease and gets cured of a black plague, and then he can come in and not before. Now, sir, that is offensive." Said the man in reply, "I believe it is; and I tell you candidly, I never looked at it in that light before; I looked upon it as a political arrangement—a mere question of political economy; according to my views, it being better that the South should have no slaves in the territories, I thought I was exercising a power for the benefit of that people. I thought I was taking from them a burden to their intelligence and safe progress. That is precisely the position the Republican party occupy, or numbers of them now in the great crisis of this country. Where is the conservative Republican that won't say: "Well, I will stop calling my sister hard names; I won't say, every time the family meet, that there is a sister that is deformed—she has got a cancer at her heart, she has got a plague spot; for it is not sisterly to say it, and no man ought to say it who loves the Union, ~~no man can say~~ it without hurting the sensibilities and wounding the honor of those who have their institutions among them." We ought not to say it out of respect to our fathers, for they were respectable gentlemen and practical, and they dealt with it in a way every Republican in this land ought to admire, and would, but for the hates gendered by these party contests, and stirred and inflamed by means of the power accumulated at the Federal head—that is loosening and weakening the power of this Government. It is that which makes defalcation an epidemic in the land. It is that which almost prevents a man from having the moral courage, on the floors of Congress, to declare the independent and honest convictions of his own mind, lest it might impinge between him and some party. If this Government lives, it must be through the honest and independent exercise of those who are to make our laws, and especially to make our policy.

How did our fathers treat this question of slavery when they came to form the Constitution, after they had fought in partnership? They resolved to determine in council, whether they could live together under it upon such principles as would accomplish the general object and design of the perpetual blessing of self-government. Now, they were men who differed essentially in many respects. The pilgrim was quite different from the cavalier; the Huguenot was quite different from each, and the Germans were another race. They had various notions of policy, not practically, but abstractly, upon the slavery question. But when they went practically to work to build up the Government. What did they do? The first thing they saw was the red man, more populous and troublesome to our ancestors. The trouble of their descendants is that of the black man, for we have effectually disposed of the red man and he is in the course of ultimate extinction. But the first question which came up to our fathers, was, what shall we do with the red man? Well, that depends practically, says the statesman, "upon what sort of a man he is; whether we *can* confer upon him *any* powers; we are no Platonists, or theorists now, because we are going to build a Government—lay the foundations of power and distribute it, and declare rights and define them; and what shall be the rights of the Indian? He is a human being, within the circle of the humanitarian, and within the circle of the Declaration of Independence, because he was created, and the question is, what shall we do with him. He is a savage—a barbarian, wild and untamed; he will not work and we cannot civilize him; he is impregnable to all influences of civilization. Shall we make him President or Vice President—eligible to any office—to a seat in the Cabinet, in the Senate, or a member of Congress, or of the General Assembly, or a Justice of the Peace, or give him the right of suffrage. You know they could not say it without stultifying themselves—they would cease to be the men of the Revolution if they had uttered such doctrine. But they said we will endeavor to repress these savage virtues which take the shape of larceny, and that other power which takes the shape of revenge, and we will not give him power, but we will treat him with the utmost kindness, and let him sing his death songs, and let him go to his happy hunting ground in peace. Having disposed of them, they turn to the black man, and the question arose, what place shall he have? What is he? He is a savage, a barbarian, brought by Portugal from the shores of Africa, where his condition was essentially barbarous. He was brought from his country piratically, and put upon this country by the mother government. He is a little different from the Indian in one respect; he can be made to work, especially in a warm climate, and because he will work, therefore he is accessible to civilization and Christianity—they will greatly operate on his moral and physical nature. We cannot turn him loose, but we must make the best use we can; we must make him subject to a superior will; and his nature is such that he must be subject to a superior will, and one of the most remarkable things is that he lives only by subjection and the will of a superior race. If left to himself he can accomplish no result; he goes down in the descending scale of deterioration. But under the superior will of a better race he can be taught the benefits of civilization. As I shall attempt to show you in the concluding portion of my remarks, his place in the world is a most important one. Our fathers, therefore, as wise men, did not trust the Government in incompetent hands; and, therefore, when the negro was excluded from participation in the affairs of government, he was excluded upon the same principle that we exclude the insane from participation in political affairs. It rests upon the ground that society has the right, in building a government for its own protection, to exclude from participation in its own power those who are incompetent to use that power for the general good. It is upon that ground, perhaps unwisely, that we have excluded the better part of creation from participation in political power. It may be a mistake, but woman has so many high and great duties to perform in her sphere, and so necessary is her influence in another direction, that instead of giving her political power, our fathers said, women shall govern the nursery of statesmen. You shall govern the family household. You shall train up your children so that when they come to manhood, they will save the State. Now, have such exigencies arisen as to authorize us to depart from the plan of action which our fathers marked out. Now, I ask my Republican friends, what are you going to do with the African. You leave the African where he is. You only say he ought not to go west of the Mississippi. You yourselves do not propose to admit him to any participation to the political power of this land.

Mr. President, I am not here to-day to defend the institution of slavery. There is only one tribunal on earth in which I will condescend to defend it, and that is a tribunal outside of the United States. If I should ever meet the Czar of Russia, or the Emperor of Austria, or the King of Prussia, and they were to talk about the blot and curse of slavery upon American institutions, I might hold commune with their majesties. But before I entered into an argument I would say, Czar, Emperor and King, hold up your hands. If their majesties did it, I would say they are red with blood—they are wet with the blood of crushed and crucified Poland; the blood of martyrs—white people—is on your hands; and now, Prussia, you may take down your hands, but Czar and Emperor still hold yours up. And now I see upon your garments precious blood more recently shed—the blood of Hungary, the white people also. And if not a lady, I would say to Queen Victoria, although she is a good woman, and a woman of kind feeling. I would say to her, that blood of Ireland is on your hand woman as you are. And now your majesties, why is it that you use your power—your standing armies—why is it that you will crush out of white men every aspiration that burns instinctively for liberty, and yet go upon a crusade against African slavery. I would like to ask your majesties this question: are you not in favor of the continued savageism of the African, because you are not afraid of him; the African cannot hurt your diadems, but the white man may.

Mr. President, as you perceive, I have already said enough to show that our Southern friends are wrong. They have left us, have abandoned the strong holds of government, and left us single handed to fight the battles. Now let Missouri do the work of the seceding States. Let us stand firm in these strong holds, builded by our fathers for such a crisis as this.

By your leave, Mr. President, I will read a practical document which has just come from Arkansas. It ~~is a letter~~ addressed by a committee of Union men, delegates in the Convention now in session at Little Rock. It is addressed to Sample Orr and myself, and is as follows:

LITTLE ROCK, Ark., March 9, 1861.

Messrs. Sample Orr and U. Wright:

GENTLEMEN: We, the undersigned, have been appointed a committee, on the part of the Union Delegates in the State Convention now convened at this place, to correspond with you, in order that we may understand, sustain and co-operate with each other, as we are mutually interested in the great efforts now being made to preserve on honorable terms, if possible, "our Constitutional rights in the Union."

We stand in our Convention a firm, unwavering Union phalanx of *forty* to thirty-four Secessionists; but we cannot stand alone. Our eyes turn anxiously to the position taken by the Border States; and although Arkansas was not expected to take a conservative stand, permit us to assure you we will not hesitate to cast our lot with those States, and unite with them *in protecting our rights and our sacred honor.*

We doubtless, as border States, are mutually looking with great interest to the positions of our respective Conventions, as the action of each would be more or less influenced by that of the others could they be known.

We send you this (by mail, as the telegraph is so treacherous) that you may know *our* position, and would be pleased to learn yours in return at an early day. It appears to be the unanimous desire amongst the Union friends here that a National Convention be called.

With sentiments of the highest regard we subscribe ourselves, Your obedient servants,

A. W. DINSMORE,
H. T. THOMASON,
J. STILWELL.

I took the liberty under a *carte blanche* from Mr. Orr, to write back the greeting of the Convention of Missouri to Arkansas, and expressed pleasure and delight at the reception of such a communication from them, and to assure Arkansas that she should not stand alone in this great and noble struggle, but that by her the State of Missouri will also stand, rallying round both would be the border slave States of the Union, working not to suffer dishonor, not to submit to degradation, because these words are not imputable to free men and men born under such a Government as this, and reared under institutions left by our ancestors. Who but a craven would submit to degradation and dishonor? But this question is what? Is it honor or degredation? Some may consider that dishonorable which another would feel it to be the proudest act and sentiment of his life. I likewise undertook to say, and perhaps I had not the authority to do so, but I did not put it in the positive, that Missouri would declare in Convention, that there was now no adequate cause for dissolution—but that on the contrary there were strong reasons why we should remain in the Union and adjust our difficulties through the instrumentality of the great means furnished us by our ancestors; that we were opposed to secession either in theory or practice; that we were opposed to coercion, and that we would ask the authority at Washington and seceding States, to forbear—to stay the arm of military power; that we would call, likewise, a general Convention as the only legal and authoritative mode of effecting permanent adjustment of our difficulties; and I likewise thought it probable that if Virginia called a Convention of the Border States, Missouri would send delegates to appear in that body, and that finally, strongly attached to the Union, holding allegiance to the Government, we would take all means in our power, and especially those provided by the Constitution for the correction of our disorders;

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and that likewise looking to an adjustment, we should never lose sight of the idea that we must make the circle of adjustment, wide as the Union. I trust I have only anticipated history in the missive which I sent.

On motion of Mr. WELCH (Mr. Wright giving way) the Convention adjourned until 2 o'clock.

AFTERNOON SESSION.

Convention re-assembled at 2 o'clock.

Mr. WRIGHT. Mr. President: Since the adjournment, I have ascertained from a personal friend and one of my colleagues, whom I respect highly, and whom I deem to be a patriot—a Republican member of this Convention—that he materially misconceived me in some of my utterances in the morning speech, and as others may have misconceived me likewise, I deem it entirely proper that I should set myself right before this Convention in regard to the positions I actually did assume. My colleague thought that I attributed to the Republican party the design in the Territories, to distribute political power to the African, and to give him a participation in the exercise of political power, either as a voter or as qualified for other offices which were denied to him in the States. I must have been very unhappy in my expression to have authorized such a construction as that; for it was my purpose and the line of my argument to show that the Republican party had no such design at all. On the contrary, the absence of any such effort on their part I used as a circumstance to show that they did not disagree with our fathers in the actual use they made of the red man and the black man. I acquit most cheerfully the Republican party of any such design. I do *not* believe they have any such design, and I go one step further to say, that I do not believe that the great body of the Republican party did really design to insult and wound the honor of the Southern people. I cannot but make a just discrimination between the Abolitionists who are represented by such men as Wendell Phillips and Lloyd Garrison, and the great body of the Republican party. I do not believe that the Republican party design deliberately to wound the honor of their brethren South, and this belief is one of the reasons why I have no fear whatever, that we can make an adjustment with our Republican brethren at the North, which shall be perfectly satisfactory to all the border States of the Union, and if they will make such an adjustment with the Border States, our Southern brethren will be left without excuse, if they do not come back into the brotherhood of these States.

Since the adjournment, likewise, I have had the pleasure of a conversation with my very intelligent and logical friend from Marion, and I find that there are still some lingering errors in his mind which I would like him to get rid of, because I am proud of his intellect, and was proud many years ago when I saw him leaving the walks of private life, and embarking in the profession of law. I heard one of his early efforts, and marked him as a man who would rise in the State, and make a character for himself that would be highly honorable. And now, with your permission, Mr. President, and the permission of this body, let me go back to make an effort, humble though it may be, to rid that fine and clear thinking intellect of the error into which I conceive it has fallen.

I object to secession, not only for the reasons that I have already urged, but because it is a theory which, like all theories about government, and everything else, is apt to take the concrete form of action. Theories that are purely abstract, are not hurtful, but the secession theory *is* hurtful, Mr. President, especially in this that it carves out, not a revolutionary right, but a constitutional and peaceable right; and if this Government can be destroyed by secession, there are men who would exercise a peaceful, constitutional right, who would yet pause a long time before they would run the hazards of a revolution. Many men in the South have been seduced by this false theory to take a position antagonistic to their country because they thought it only an exercise of a pacific constitutional right.

One word more on secession, and I will leave the subject. It seems to me that the theory of secession is a theory that can be illustrated by Shakspeare's "Jointed Snake," an animal made up of integral parts, susceptible of disintegration, and it is said of that snake, that when one approaches it, it flings itself to pieces, it becomes disjointed, but it has the capacity to close and be itself again. Take the illustration, and let the logical mind of my friend from Marion draw the conclusion. What is it that disintegrates the entire snake? It is the will of the entire snake—it is not the separate volition of a joint, but it is the will of the entire animal; and if it can be disintegrated by that will, the same power puts the parts together. So that, logically, this power of disintegration, this power of separation, this argument which makes a jointed snake of these United States, is the will and volition *of all*, and not the will and volition of the separate parts.

Again, it is said by the advocates of secession that the Government of the United States is an agency, created by the States. I have answered that argument, I trust, by showing that they made a government whose powers were not only delegated to it, but prohibited in the States. A residuum only was reserved. But let it be granted, for the sake of argument, that the Government of the United States is in some sense an agent created by the States. What sort of an agent is it? The argument is used only for the purpose of reducing, by a simple analysis, this beautiful and complex structure—the features of which I have endeavored, and most imperfectly, in my opening speech, to explain—to the relation of a principal to an agent, and in order to show that it is nothing more than the execution of a power of attorney on the part of the States to the General Government, with a revocable power on the part of the States to destroy the agency at any moment they may choose. But Judge Redd is too good a lawyer not to know that while generally the principal who makes the power of attorney, can revoke that power, yet whenever the power which creates the agency, couples an *interest with it,* it is no longer revocable. So that the effort to derive the right of secession by reducing our Government in its admirable and wonderful structure, to the simplicity of a power of attorney, fails in this, that the agent they make and speak of, has, by the very terms of the power of attorney, a large interest in the subject matter of the power, and that the principal himself, puts *himself* under limitations and prohibitions, and vests rights in other parties which are beyond his control, and without the power of his revocation.

I will proceed, as well as I may with the general line of my argument where I left off. I was speaking of the actual ills which disturb us; of the causes which create disquietude, of the evils which bring about not harmony but discord, of those effects which disturb the tranquility and peace of this nation; and I pointed out some of them. One of the evils is apprehension of the exercise of the power and patronage of the General Government by the sectional party in power, distributing its influence through the slave States, by conferring office upon individuals. Mr. Seward, the philosopher of Auburn and martyr of Chicago, said in his Madison essay during the compaign, that the people of the North wanted free speech, free press and free mail; and the people of the South, said he wished to use these instrumentalities, through the patronage of the General Government, for the purpose of disturbing the institutions of the South. They said he intends, under that power, to disseminate incendiary documents, to abuse the liberty of speech by representing slavery as a curse, and to secure the spread of those doctrines by men in office who will hold influence and power, and gradually and insensibly, in our very midst, there will be a power with instincts at war against us. I do not pause upon the strength of that apprehension. I do not stop to question the propriety, or to debate the propriety, of breaking up a government such as we have upon an apprehension like that; but, Mr. President, you perceive that, underlying this slavery agitation, there is another evil which promotes it and gives power to it at every step, and that is the evil that I hinted at in my opening—I mean the immense power of patronage accumulated in the head of the General Government, which has increased and is increasing continually, and which ought to be diminished. And independent of the reasons which *immediately* would prompt us to rely upon the agency of a General Convention to furnish Southern guarantees, is the strong, pressing, national necessity that this power of patronage should be curbed and shorn of its proportions. There is no manner of reason under heaven why, in the National Convention, called particularly to adjust the slavery issues, that body of statesmen of the North and of the South should not be engaged in an inquiry of the best possible means by which we can cut off at their fountain head all these instrumentalities which excite our apprehension. The Cabinet officers of the Government may perhaps be left to the appointing power of the President, but everything else should be taken from this General Government—everything else should be thrown into other depositories. I suggest it, simply because this is a thing to be matured, and it seems to me that, when necessary, the parent source of *all* power, the very power by which heaven can work its ends in a government—the people—should take this matter into their hands, and effect the reform. Perhaps the proper plan would be to distribute the other powers in the States—to let the several Congressional Districts, or their Representatives in Congress, determine who shall be the men to fill the offices. Every statesman in the country would see that this cherished doctrine of State rights would be advanced by it; that the General Government would be shorn of a power which can be used hurtfully against them; that their municipal and domestic institutions would all be secured against any possible interference by the Federal head. There is another good consequence which would result from it sometimes: In the mad rage of parties, removals from office take place, which are the consequence of party prejudice. A good officer may have his head cut off, in a Pickwickian sense, by the President and his advisers, who has the independence of thought to say something at war with the policy of the Administration. Now, if the Administration do not appoint, there is no temptation to the improper exercise of the power of removal.

But a word in regard to free speech, free press and free mail. We live under a Constitution, thank God, which enables every man to speak just what he chooses, print just what he chooses, write exactly what he chooses, without calling upon the Government to say what he shall speak, what he shall write, or what he shall preach. That is the glorious freedom of the press; that is the glorious freedom of speech. But who ever thought that, although a man can speak what he chooses and write what he chooses, and publish what he chooses, he is irresponsible for what he speaks, and writes, and prints? Certainly, our fathers would not think so, and the men who made our Constitution did not think so; for while these essential guarantees of liberty are all preserved, side by side with them goes the responsibility for every word we utter, for every word that we write, every word that we print. If the Republican party really do design to make use of the instrumentalities of free speech, and free press, and free mail, to utter feelings antagonistic to the peace, and welfare, and domestic security of the people of the slave States, they are guilty of a great and grievous error. They are evincing a want of fraternal spirit. But I do not believe they have any such design, and I am quite sure that they will show by their action in this adjustment with the border States, that they have no such purpose in view. In an excited political contest, we all know enough of party to know the extremes to which men will go, and especially if an antagonism be created in the popular mind. There is a wonderful distinction between the philosopher of Auburn in the canvass, and his speeches in the Senate of the United States. Unquestionably he made the most of this slavery agitation in that canvass. Unquestionably, with his potent eloquence, and his mental resources, rarely equalled by the politicians of this country, he touched every chord of the Northern heart that was capable of a vibration. But when he comes to the Senate of the United States, and especially when he occupies the post of Premier of this Administration, the whole current of his thoughts and ideas is changed. The man who was radical on the stump and in debate, availing himself of all the blunders which had been committed at Charleston and Baltimore, seizing with avidity every antagonism brought out by extreme platforms in the South, when he went before the people in that canvass and traversed the Western and Eastern States within the line of free soil, making a slight departure in honor of Missouri but making here no speech, he *unquestionably* availed himself as a partisan of all the elements of success that were around him, and the blunders of rival parties, and the extreme dogmas which were urged on the other side.

Organized agitation in the South was naturally followed by organized agitation in the North, and at last the raging fires of party strife ran over this country, igniting everything that was combustible. There was a quiet, modest craft, that had no ignitable or combustible material on its bosom, that tried to make its quiet way in the wrath and tempest of the public mind; but it was unheeded, save in my native State, Virginia; save in the State of Kentucky, her daughter, and her natural ally, Tennessee; but out of these regions, this quiet, modest, patriotic craft, found no admirers and support.

It is a grand mistake, I think, Mr. President, to suppose that we are now in the condition in which we were then. Then the fires of party were burning; all their camp-fires were lit, and all the instrumentalities which an active partisan combat can bring to bear, were put into active operation. But the temper and spirit of the men who engaged in that contest is not the temper and spirit which animates them now. *I* was one of those men engaged in that contest. I tried as I always do, to take a patriotic and a conservative part in the affairs of this country, but I suppose I was a party man, and struggled for my party, and did the best I could to defeat the present President of the United States and his policy. But am I here this day and in this Convention, before you and the world—am I this day a party man? God forbid! There is not a party platform on which I ever stood that I would not burn upon the altar of my country's peace. There is not a political dogma that ever troubled this poor brain of mine, that I would not send whistling down the wind when it interferes with the prosperity and perpetuity of my country. And there are men in all parties North and South, who are willing to burn their platform.

Sir, who is a Union man? Is it the man who says he loves his country, and there stops? Is he a Union man? Is he a patriot? I deny it. Is he a Union man who stands at the corner and watches an opportunity to run out of it? You know he is not. Is he a Union man who wants the Union preserved because he has got the President of his choice, and has no other reason for it than that? That is sorry patriotism. I have got no respect for it. Is he your Union man who wants to preserve this Government in order to carry out exasperating policies that are calculated necessarily to disturb the repose and tranquility of this Government? So far from being a Union man, there is treason, moral treason in his heart. Who, then, is a Union man? It is the man who will *do* something for his country—who will do something to save it. What shall he do? Some gentlemen say they would *die* to save the country. Well, that is patriotic; that is heroic. But a thousand deaths won't save the country. Its salvation don't depend upon such an oblation as that. You might pile patriot after patriot upon the altar of your country's peace, and the death of a thousand gallant hearts would not bring tranquility and repose. But, fortunately, Mr. President, no man is called upon to die for his country, or for his country's peace. The country don't ask that. It asks a great deal less than that. It asks what every man ought to be able to give, and give with the cheerfulness with which the widow casts her mite, and it is smaller than the widow's mite. Seces sion cannot save it, and dying for it cannot save it; but there is a small thing that *can save* it, and that is sacrifice. Sacrifice of what? Of liberty? Of honor? No! Liberty never made such a demand, and never will, and our country has never asked such an exaction as that from any man within it. But it does ask him to sacrifice, what? A little pride of opinion—a few political dogmas that he has in his mind, generated in the heat of party strife, born of the desire to climb to office and get its pay—dogmas springing out of constitutional construction upon the very darkest portion of the work of our fathers; for it does happen that these very conflicts of opinion in regard to the constitutional law in this land spring out of the weakest, and most imperfect, and obscurest portions of the instrument that our fathers made.

I know how hard it is, by a knowledge of my own nature—I know how hard it is for this false pride of ours to surrender in a moment, and especially to surrender upon demand. There is a rebellious spirit in man which fortifies error, because pride of intellect is at last a great conservative faculty of the human mind. Without it no man has ever made his mark in this world. It is a law of genius and of mind to have pride of intellect. God Almighty implanted this principle in the human heart, and it is intended to be auxiliary of the virtues; but, like every other quality which is given us, it may be abused, and our own experience of ourselves teaches every man who makes an analysis of his own nature, that this great conservative power, without which the intellect would be scarcely anything, is susceptible of abuses.

Pride of opinion is surrendered reluctantly by men in the very moment of of triumph, and more reluctantly still when they are approached in the character of menace, and are asked absolutely to surrender that ground. I know that will be the trouble down here South, and I know that is the trouble North. Our Southern brethren will have to go through that process, in order to come back into this Union. They will feel that consistency is a virtue; that it is a jewel almost inestimable, as our Northern friends will likewise feel. But, gentlemen of the North and of the South, to that complexion you must come at last. There is no resisting an irresistible, logical event. You must, both of the North and of the South, give up your error, and in making the sacrifice you ennoble yourselves, because it is a sacrifice laid upon the altar of your country's peace and prosperity.

But let us look at this Territorial question for a few moments. I say some of our errors, or troubles, rather, and dogmatic opinions, have sprung from constructions of the Constitution arising out of those portions of the instrument which are most obscure. That is emphatically true of the Territorial question. When Louisiana, our first Territory, was acquired by Mr. Jefferson, he had serious scruples about the constitutionality of the act. Mr. Jefferson was a profound statesman and philosopher; although he had no part in making the Constitution, for he was then our Minister to Paris, watching the throes of the French revolution, and he had many notions about the Federal Government which were entirely wrong; and one of the most interesting exhibitions of the influence of mind upon mind in the correction of error is furnished by the correspondence between him and that very unostentatious statesman who lived twenty miles from him, at Montpelier, James Madison. The objections that Mr. Jefferson made to the Federal Constitution were numerous; but read the correspondence between those two great men, and you find that, one by one, his objections are overthrown, and finally, when Mr. Jefferson took his seat as President of the United States, although he had been previously intoxicated, as it were, with ideas peculiar to himself, and fascinated with the grave conversations of the savans of France, on the nature of Government, which he deemed worthy of a place side by side with the dialogues which come down to us from Greece and Rome, and, although in many respects he was a theoretical and speculative statesman, yet, to his honor and glory be it said, that, whenever he occupied the seat of power and had practically to dispense the powers of an Administration, he was one of the greatest and most practical statesmen of the age. He knew how, at any moment, in his administrative career, to sacrifice a dogma and theory to the actual behests of the Constitution and his duty as public administrator.

As I have already said, when we acquired the Territory of Louisiana by treaty from Bonaparte, he was clearly of opinion that the acquisition was unconstitutional, that the Constitution authorized the General Government to make no acquisition of territory; but, before this necessary country could be added to our Union, that it was essential there should be a Convention of the States to change the Constitution of the United States, and to make the admission legal. Such was his idea; and although the Convention never was called, though Mr. Jefferson thought it necessary; though the statesmen of this country acquiesced in the coercing necessity of the times, and let Louisiana in without a change in the Constitution, yet the fact shows that the Constitution in that respect, was not deemed by the men of the Revolution to be clear and explicit. Mr. Jefferson thought it denied the power entirely. But from that period of time to this, we have been using it by a construction. Some undertake to derive it from the power to admit States. Others say that there is no proper and legitimate source to derive the power from. Others say that it springs from the rules and regulations which Congress has a right to make in regard to Territories. That, again, is ignored by others, and in the main our statesmen have come to the conclusion that, if we have the power at all, it springs from the power of acquisition and implications that follow the right to acquire. I say, therefore, in all charity, in all friendship, that the difference of opinion upon this constitutional point, is not necessarily an evidence of a want of patriotism, and one of the objects of this National Convention ought to be to put that power down in plain terms. For, although the question now in regard to the territories is the slave question, in the progress and the march of empire in this country, when we shall be a hundred States and not thirty-four, when one hundred glittering stars shall shine upon our National banner, where only thirty-four now shed their lustre; in the changed complexion of society—for society is always changing, especially if it be a society of progress—some new question may arise in regard to this power that has no odor or tint of slavery upon it. It may be a Mormon question, or a Coolie question, or some question of which I would not dream now, but one object of the National Convention ought to be to lay down clearly, and not leave to the construction, of partisans the *quantum of power* in the General Government in regard to these Territories.

Now, the Chicago Platform says that the Congress has the power to prohibit slavery in the Territories. Let us be fair and just. I once entertained that opinion myself; I entertained it for twenty years; I learned it from such men as Clay and Webster. I learned it from every great man who figured in our annals for the last thirty years. They all affirmed the power, but all of them denied the propriety of its exercise. The Chicago Platform says that the power exists in Congress. Mr. Webster took the extraordinary ground upon this proposition—and when he took it I began to fear I was not right in my opinion—and he was not alone in it—that the Territories were never governed by the Constitution at all; that from the earliest moment of acquisition up to the period in which he spoke, Congress had *never* governed the Territories according to the Constitution. I was startled at the result of that opinion, because it brought me to this idea. Here is a Government of limited power, supreme within its sphere of action, that has the exercise of a power without bound. I therefore thought there was something wrong. I studied the antagonistic ideas of Mr. Calhoun, whose subtlety of intellect always puzzled mine, and sometimes did much more, I think, that is, deceived itself. But the result of my own investigations upon the subject—and as a lawyer, studying the thorny pathways which carry men over the conflicts of individuals with the Government, it being my duty to understand something about the nature of our Government—was that there was a power in the General Government to prohibit slavery in the Territories. But I never thought it was a power which should be exercised, and when the Dred Scott decision came, I had to be a convert to the views delivered by Justice Taney. But I was a convert, and I was a sincere convert. He satisfied me of my error, and he has made an argument that I think cannot be overthrown. He has settled the power in the General Government to regulate the Territories. That far I always went. But as to the quality of that power, he has shown the error of the teachings of Mr. Webster. It had to receive the limitations in the Constitution itself, it was not to be a vagrant power turned loose careering where it may, and doing what it choose—but a power capable of doing what it says, and to be fenced in, and limited, and restricted, like all the other powers of that instrument, and by the terms of that instrument; so that I am perfectly satisfied that the General Government has no power to prohibit slavery in the Territories. I am satisfied beyond all question that it has the power to regulate the Territories, and to give them government, but that it has no power under the limitations of the Constitution to deprive a man of either life, liberty or property, without the judgment of his peers or the law of the land, and therefore there is no power in that Government to confiscate any property, or disturb any legal relations, existing in the States, whether it be that of husband and wife, parent and child, master and apprentice, or owner and slave.

But while these are my convictions, I am perfectly willing to admit that a man may be honest and patriotic also, who entertains an antagonistic idea, because the question is one about which not only *may* the human mind honestly differ, but touching which the greatest statesmen and jurists of the country have differed, and have differed for forty years, and in any adjustment that I will offer to make with our Northern brethren, and with the Republican party—for I speak of the Republican party, giving them prominence, not with any view to impugn them, but because they are a party who constitute a large portion of the people with whom we have to make this adjustment. I shall not ask a surrender of the pride of opinion, I shall not ask anything that is inconsistent with the honor of a Republican, or any Northern man. A great many men in this country, and especially men who are clamorous for the preservation of the Union, declare they love their rights, but I do not know any of them that are not willing to surrender two-thirds of them at a jump. They must have their rights, they say. Therefore they go for the Crittenden resolutions. Well, what are your rights?

The Dred Scott decision says you have the right to carry slavery into all the Territories. And now you are perfectly willing to surrender, to a prohibition that will cover two-thirds of the Territories. But you will have your rights.

I wonder what these gentlemen thought about, the time that Oregon was organized. We are discussing now the abstract question of power. Can Congress prohibit slavery in the Territories? Congress never did it but once, and that was when Oregon was organized. That was our Territory. It was the right of every Southern man, South Carolinian, Floridian, Mississippian, Alabamian, Louisianian and Texan, to carry slaves into Oregon. But yet here is Congress, both in the Lower House and Senate, passing the bill, and with the sanction of the President, they organized one of our Territories, with the Wilmot Proviso, declaring that slavery shall never exist in that Territory. What is the reason we did not secede then? What is the reason there was not a clamor for our rights then? If this thing be one of principle, why did not we make a clamor about it? Why did we not secede, and take the United States forts and arsenals, &c.? Why didn't we seduce the allegiance of an officer of the army?

In looking over this broad, wonderful country of ours, there are some spots that excite a painful emotion in my mind. Somewhere in Texas there is a place, small in geographical position, that is called the Alamo. I know it by history as the scene of a bloody, inhuman, uncivilized, savage massacre, in which individual heroism was slaughtered by brutal, ferocious and reckless power; and now, as if Providence determined that such a place should never be forgotten, however insignificant in point of form, it is the precise place at which the laurels that were growing green upon one of the hoary veterans of this country, all turned to ashes in an hour, every twig and branch fading.

But why was it that when Oregon organized, the South did not rise in indignation? Why was the principle violated if that *is* our right? I will tell you why, and I only mention it because it furnishes the solution of our remedy in this case, a remedy consistent with the honor of every man in this land, whether of the North or of the South. We made no quarrel about Oregon, because we knew that, practically, no man would ever carry a slave to Oregon, and therefore the parchment on which the Wilmot Proviso was written, was not worth the material that had to be used in writing it. And so now I hold in regard to our Territories, whenever there is any Territory in which slavery won't go, practically by natural laws, it is idle to make a quarrel about it, and it is worse than idle to attempt to break up a government, in regard to the question whether there shall be a Wilmot Proviso or not. And one of the madnesses of the madness of the times, in the South as well as the North, is, that there are dogmatic opinions in connection with this question. There is a party, in the North, who insist upon the Wilmot Proviso upon our Territories, where a Wilmot Proviso can never practically accomplish anything; and there are mad men in the South who insist upon the dogma of protection where there can never be a slave to be protected.

Why, we have other rights besides the right to carry slavery into the regions where no sensible man would ever think of carrying one. I think we have the right, the Constitutional right of all men South to cultivate the sugar cane upon the highest glacier of the Rocky Mountains; I do not doubt it—and do it by slave labor, too, if we can. I think if our territory is extended to the equinoctial line, we should have the Constitutional right to gather icicles upon the equator. There is not a political doubt about our Constitutional right. But, then, may I go and destroy our Government because I maintain this right, and some man denies it? And yet, Mr. President, I would rather break up the Government upon a point such as that than upon the territorial question. I would rather break up this Government, in so far as any agency of mine is concerned, upon the abstract right to cultivate sugar cane upon the Rocky Mountains, or gather icicles upon the equator, than upon this territorial question, because I would know that if posterity thought of one so humble as I, they would say, instead of having a right to speak with any potent voice in favor of my country, I ought to have been under lock and key of a lunatic asylum, so that I would stand vindicated to posterity from my action on the ground that I was not *responsible* for what I did.

He must be anything but a patriot who says, "I so strongly believe in the power and duty of the General Government to prohibit slavery, that I won't consent to the organization of any territory without that prohibition. I would not, if it were on the highest point of Mont Blanc, where nothing could grow and nothing could live but the chamois, and every once in a while a hunter was seen, painfully tracking his path over hollow and steep. I will never consent that anything shall be organized, unless there is a positive prohibition of the right to carry slaves." I say, he must be anything but a patriot; but I put him precisely in the same position and category of a gentleman, who, in the South, says, "I will break up this Government, unless I can have my rights, and among them, the right to carry slavery where I know I never will carry it."

Some gentlemen say to me, now, Major Wright, don't be too hard upon the Republicans, and don't be too hard upon seceders. And other gentlemen say to me, I hope that in your speech this evening, you will give the seceders a lick; and another says, hit him again, provided you are striking at a Republican. [Laughter.] I have no sympathy with any such suggestions—none whatever. I have no enmity to any man in the United States. If I speak harshly and bitterly, and with emphasis, of a doctrine, it is my right to do it, but not to speak disrespectfully of a man who entertains that doctrine. I speak what I think of the doctrine of secession and its errors. I speak as I think, likewise, of the doctrines of the Anti-Slavery party, but kindly to both parties and in a fraternal spirit; and that is the precise position I ought to occupy, for if I understand it, Mr. President, we are to be mediators in this great necessary exigency. Mediators between whom? Now, that is a very important inquiry. If I thought, with the gentleman from Jackson, that those Southern brethren of ours are independent States, that they have set up a successful government for themselves, that they are no longer citizens of these United States, my mode of treatment and the conduct of Missouri towards them would be very different in point of fact from what it now ought to be. But I am willing to treat them still as in the bonds of our sisterhood, as within the glorious and patriotic circle of Union, erring, it is true, for the time being, because provoked by the improper action and wrongs of their Northern brethren. For I wish it to be distinctly and clearly understood that in this matter of difficulty, the first great primary wrong is in the North. That has led to errors in the South. And now, as mediators, what are we to do? Are we to take side with either party, or are we, in the spirit and tone of friendship, to interpose our conciliating influence between the two? As mediators must we not go to the North and say, here, now you are wrong—you are wrong in this. I say it in the kindest spirit in the world; I know you have got some apologies I believe, in point of fact, that the intenseness of the excitement arises out of the unfortunate fact that the slavery question became, in 1836, for the first time in the history of our parties, an organic excitement, by being blended with the political parties and platforms of the day, and hence the antagonisms that arose, by making, most improperly, and against the advice of the wisest men in the South, the slavery question one of the planks of political platforms, and going before the country upon the excitement it produced, in order to lift yourselves into power. I know the nature of the effect, and I am willing to allow the influence of such a cause. The natural effect was to bring about political organizations upon the antagonistic ideas advanced by the two parties, and they used the elements of difference as well as they could. I believe this day that, but for Southern errors, the Republican party would not be in existence. I believe this day that the Republican party owes its numbers and its triumphs, not because of hostility to slavery, but because of the idea that the Southern people were using, or attempting to use, the General Government for the purpose of extending slavery in the United States. The Republican party cannot stand a day upon a simple antagonism to slavery. Its power arises only from the fact that it has induced the Northern people to believe, from the action of Southern politicians, that they were seizing upon the Federal power to advance and extend the area of the slaveholding interests, independent and regardless of natural laws, those great higher laws which no constitutions can overthrow—the law of sun and cloud, moisture and heat; the laws of physical geography, the law of production and the law of temperature.

Heaven knows there are enough wrongs, both North and South, to be corrected. But it is not my part to take any other than the position of a mediator, and it will not do for a mediator to side either one way or the other. We ought to proceed in the very spirit of impartiality—such impartiality as a man can, by close scrutiny of himself, and a just and comprehensive view of all the surrounding circumstances, exercise. We ought, as mediators, to rid ourselves of every influence which self interest might improperly dictate, and go North and South and shake hands with gentlemen on the one side and on the other, and say, you are both wrong—you are wrong, and especially you in the North, because your sisters in the South are vulnerable. In this contest you are armed in complete mail, with no joint or crevice to leave an opening for a wound, but you are fighing with a naked adversary. There is no power in the South to hurt *your* institutions, but there is a power in you to hurt theirs. The error therefore on your part, is greater, by reason of the inequalities of the combat. It is an unequal contest. I would not desire, Mr. President, to give the slightest countenance to the idea that prevails with some men of the North, encouraged by some men of the South, namely: that the dangers of the Southern people are as great as they have been. I heard a gentleman not more than a hundred and twenty-five miles from this spot, and very near or in the capital of my State, a secession man, painting the condition of the slaveholding States, and he said of it, what? He said, in Missouri and in the border States, it was a small thing to have the institution of slavery touched or menaced; but it was a far different thing in the South—that there was not a husband or a father that lay down at night in the extreme South, and went to bed with his wife and little ones, without the conscious conviction that he was sleeping on a powder magazine, and that his slumbers at any moment might be disturbed by the torch of the incendiary, producing universal combustion. Is that the true picture of our condition? If it is, then every man South should move heaven and earth to get out of this Government. But it is false. It is an exaggeration. It is hyperbolical imagery. It is false, and yet there are men in the North who taunt us with the same idea, and they get their color and support for it by injudicious men in the South. I say there are men in the North, such as Wilson of Massachusetts, and Wade of Ohio, who have declared that the South cannot exist out of the Union; that the Union is essentially necessary for her preservation and the preservation of her domestic peace; that the danger of servile insurrection is such that, left to herself, she would be destroyed, and that nothing but the power of the General Government to put down servile insurrection would be competent to meet the dangers of her situation. It is all false. It is all hyperbolical exaggeration. There is not a word of truth in it.

I have lived along time, Mr. President. Born in Virginia, I have lived more than half a century, and lived a good deal in that time, and I have not been an inobservant watcher of the condition of public affairs since I reached manhood. But in my boyhood there were more insurrections and more fears of insurrections than exist now. Then Exeter Hall had not opened its floodgates of inflammation, nor had an anti-slavery society existed in the world. The strife of parties had not brought the slavery element into the political organizations of the day. There is less fear of slavery insurrection now, and there is less cause for it now, than there was in my boyhood, and the reason of it is this: in proportion as you turn a black man into a civilized man, you subjugate him more perfectly to the will of his master; in other words, in proportion as you reduce his savage traits, you make him subject to the will of a superior race, as in wild animals subjected to the taming process—in proportion as there is moral and Christian culture in this barbarian, just in that proportion is he dominated over peacefully by the will of a superior race.

Some men would break up this nation because of a Montgomery or John Brown raid. I have only a few words in regard to such things as that. I do not believe there is a Republican in the land, of any standing in the Republican party, who is not heart and soul against a John Brown raid. But I will say to you, as I said to some gentlemen in Virginia, in the Harper's Ferry District, where, I discover, a very fine Union man is elected, and a distinguished seceder was beat; in the very Harper's district, in the town in which John Brown was hung; I said to them, I was very sorry, indeed, that my fellow student Wise, the Governor, had put the old Commonwealth to so great expense to dispose of a few villains and murderers and traitors. I was sorry that he organized an armed host to traverse the State, and made the most warlike preparations. I said that if this scene had occurred in Missouri, we would have disposed of the question in a summary manner, and would have complied with that provision of our Constitution which entitles every man to *speedy* justice. No court would have been troubled. No armies organized. No troops raised. Nor would it have cost the State a single cent, because the only instrumentality that would have been used would be drawn from the nearest tree, and that there was not a man in it that would not furnish the cord or raise the hemp that was necessary to the dispensation of justice in the case. I scorn the idea that we need the protection of the General Government to defend ourselves against John Brown raids. I feel humbled and humiliated that any such doctrine as that should be advanced by any slaveholding State in the Union. We are able to protect ourselves, and the only reason why an army was sent recently to the frontier to put down a Montgomery raid, was, that there was no Montgomery raid to put down. [Laughter.]

I think I have in the main gone through the evils of which we complain, and summing them all up, you discover at last that they are best expressed by this one phrase—alienated feeling, sundered affections, weakened fraternal love, the absence of a brotherly spirit between the members of this Confederacy. Sir, I would not wish to underrate that evil, or measure it below truth's proper scale. It is a great evil; it is a momentous ill on the people who are to live together by affection, that their affection should be sundered; and the greatest part of the evil is that it is so difficult to restore this friendly feeling once more. How can it be done? What are the modes of restoring the affections? I had some little experience in one department of the affections, and I know this, that nothing but the law of kindness has ever yet been efficacious in restoring or melting together the several parts of a whole which had suffered a rupture. I know that God has implanted in every human being this principle, that the heart will leap kindly back to kindness, and I know that unkindness is a repelling power. I know that no great pacification ever yet was made by either force or intimidation. I know that adjustment never yet summoned such handmaids to do her work. I know that on the contrary she invokes and goes forth alone aided by one single spirit, the most potent power in the universe to accomplish such an object, and that is the spirit of conciliation. I do not think it incompatible with that spirit that I should say to the North, you have committed error; or to the South, *we* have committed error. I know some gentlemen's sympathies are with the North, and some gentlemen's sympathies are with the South, and they become a little uneasy at any words that will impute error to either of their favorite sections. But, then, that disqualifies you for the work of mediation. You are not an effectual mediator, if you get yourself in such a morbid condition. You are to go out in the spirit of fairness—the spirit of justice—the spirit of kindness; and in all that you say upon this subject, you should struggle not to take a party aspect of it, and you should struggle to speak and write what the calm, impartial spirit of history *will* write in regard to all our troubles. A man who goes out in such a spirit is doubly armed. He carries with him a moral power—the great omnipotent power of the universe. He *will* have sway. But if he takes with him any other spirit than that, if he takes with him the spirit of a partisan, the spirit that has no sort of charity for the errors of the North or of the South, he will fail, and he ought to fail, in his mission. It must be left to other hands to accomplish it. It can never be done by him.

Look at some striking instances in which this spirit of pacification has been successful in our country. Turn your eyes to Ashland. Catch if you can the spirit of him whose remains lie there in honored sepulture, covered by the marble monument which gratitude has placed upon his grave, and around which clusters the love of a whole people. He was our great Pacificator. How did he succeed? How did he succeed in this Missouri trouble, which was the first great trouble after the formation of this Government? What spirit did he show? Now, any man that knew Henry Clay, knew that a loftier soul never took the form of humanity—a spirit prouder of its independence and self-respect, and holding inviolate the rights of individuals as well as nations. Now, he is in Congress. Missouri knocks at the door for admission. She knocked a long time, and it seemed as though she would be shut off. Strife ran high. The Union was upon the brink of dissolution. Now, mark the course of Clay—of that noble man, born in Virginia, the mill-boy, the poor boy who labored hard for his livelihood—the young man who started out without education, to the wilds of the West, and whose soul was fashioned and moulded upon a large and sublime scale in the majestic solitudes of this country. But he had no education. The Representative from Roanoke was a finished scholar. Here, in the halls of that Congress, day after day, occasion upon occasion, that man would rise with his withering sarcasm and taunt the Speaker of the House with a slip in grammar, with a pronunciation that shocked his nervous system. He was led on by a gloating and reckless ambition. He had fixed his eyes in early youth, out in the frontiers, upon the Presidency, and never lost sight of it, and always taunted and gibed the noble-minded, great statesman of the West, so that there was no personal intercourse between them. Every chord of association was sundered. But now a country is to be saved. A compromise is to be effected. What does Henry Clay do? He takes his carriage in in the twilight of some evening. He understands that the great difficulty in the way of adjustment is that man, John Randolph. He has not spoken to him. But now, for his country's sake, he bows his soul. His lofty nature bends because his country demands it. He takes his carriage and drives to the door of Mr. Randolph, and gives his card, saying, "Henry Clay of Kentucky wishes to see John Randolph of Roanoake, upon a question of the country's peace." He is admitted. There is an interview betwen the men, and in twenty minutes afterwards a paper is borne by the statesman of the West written by John Randolph of Roanoke, and in an hour the troubles of the country are brought to an end. He was too big a man to sacrifice his country to any personal consideration. He knew what was the true character of a great pacificator, and he knew the means, the only means by which pacification could be brought about. He repeated the noble example in the contest of 1832 to 1833, when the relations of Calhoun and Clay were sundered. Another consultation with Mr. Calhoun, his personal enemy, another personal interview sought by him, not by Calhoun, and another great attempt to save the country, by sacrificing personal considerations to the weal of the whole. No one who knows the relations then existing between him and Calhoun, can underrate the greatness of the sacrifice. But he never failed. No man ever will fail who comes in this spirit, and uses such agencies and instrumentalities of power. More than that, no man ever *can* succeed who does not.

What are our prospects for a compromise? What hopes are before us? You have seen the stand taken by Arkansas. You know what North Carolina has done. She has decided against a Convention. North Carolina and Arkansas have said, the mad waves of secession shall not overwhelm us. We stay this tide. We are struggling for our rights in the Union, and we will stand by the border States. But there is a sectional President in power. Have we any hopes of him? He is a Republican. He has a divided Cabinet. Some are conservative men, some are radical. What are the the prospects before us? Well, now, first let me say, that, although suicide is getting to be epidemic I have no idea at all that this Administration is going to commit suicide. I have no idea the Republican party intend to destroy themselves. But I give it credit for great shrewdness and tact. There is one man in that Cabinet that sees all these struggles in their actual practical import. I think there are one or two men in it who have not the remotest idea at all of the actual condition of public affairs. There is no reliance to be placed upon them. But, as I said, there is one man in that Cabinet who sees, with the vision of entire coolness, the whole scope of our political horizon, and knows what the actual condition of this country at this hour is, and that man is Seward. He is not going to destroy himself. He, in common with the Republican party, want to perpetuate themselves. They do not wish to be mere ephèmerals that live an hour or a day, but they want to perpetuate themselves and establish a Republican dynasty, after the fashion, at least in duration, of the defunct Democratic dynasty that has gone by the board. Well, how can they do so if the Union is broken. If the border States go out what becomes of the Republican party? It dies instanter, for the very moment that the border States leave this Union there is no longer any distinctive characteristic belonging to the Republican party, at least on the slavery question, and they have to take their chances with the people of the North in a new confederacy, and get up issues leaving out the element of slavery agitation.

In any aspect, therefore, in which you can view this question, it appears to me manifest that this Administration is not going to commit suicide. They are going to preserve this Union, and they can only do it by making an adjustment with the border States. And when such an adjustment is made, satisfactory to the honor and interest of these States, *all* men will be without excuse if they do not join.

But let us see what has been the practical operation of the Republican party in the last Congress. This, you will say, is a speculation of mine. But let me point your attention, especially, my very clear-headed, and, if you permit me to say so, my very eloquent friend from Lewis. Permit me, since you are under a lively apprehension touching the action of the Republican party, and since, especially, you dread their dogma, the Wilmot Proviso, to call your attention to the actual conduct of this Republican party in Congress, since the period when they have had all the power. When our Southern brethren abandoned us, and left us alone to fight their battles on the strongholds of the Constitution, what result did they bring upon us? If they had stayed, this Administration would have been powerless. Two departments of the Government would have been against the Administration—Congress and the Judicial department. The Senate would have been against him, the House would have been against him, and the Supreme Court would have been against him. What, then, could he do under our form of Government? Where was the source of any actual danger? Is any gentleman afraid? What is he airaid of? What are our remedies? Can we guard against danger which may be threatened to bring upon us? Yes, no law can be passed that is hurtful to us. If an unconstitutional law were to pass, the Supreme Court would denounce it. He was elected by an accident—he was elected by the blunders of his adversaries—by the erroneous manner in which the campaign was fought against him. We made his victory easy, although he was a minority President. He took advantage of our error, and he got into power, and now there he is powerless. He cannot make a Cabinet minister unless you elect him. He cannot make an appointment to any office of high grade without your say-so. If the Southern States had not gone out, *all* the States that opposed his election might have conferred with each other as to what were the *actual* evils to complain of. They might have met in a body through their commissioners, and set out in writing what they thought were their grievances, and what they held to be the proper means of redressing them. Had there been such counsel as that, no such complication would have arisen as when Georgia sent her ambassador here. I struggled then, because I wanted to receive him, to get this Convention to adopt a resolution which would have enabled every man in this body to have listened to him with pleasure, and to practice towards him all the courtesies due to the representative of a sister State. I wanted them to adopt a resolution that *this sister* of ours, whether she thought so or not, was our *sister still*; and, being one of the family, she had a right to talk, and talk to all the family. But it was determined, under the genius of precipitancy and hot haste, to do otherwise.

I hear a great deal said about coercion. Undoubtedly, we are against coercion. It is not right that the Federal Government should force a State into submission. But do gentlemen consider the coercion which is used against us? The only *real* coercion that has been used in these troubles has been used by the South against us. I will say nothing now about those acts of war of which some of the Southern States have been guilty and which, if committed by an independent foreign nation, would have fired this nation from one end to the other: of the firing on our flag; the seizing of our forts; of the capture of our treasury; of taking the jurisdiction of the Mississippi. All these are really acts of war against the Government of the United States; and yet that Government, with a forbearance that is parental and benign, and worthy of all commendation, has said nothing in return, but has used the magnanimity which can be rightly used by a great Government towards its citizens — has been doing what Edmund Burke asked of Lord North, in the time of George the Third, to do towards these colonies. This Government has thus far acted in the spirit of conciliation. It has forborne; it has not undertaken to resist force by force, because I suppose there is no doubt of it in the world that every act committed by our Southern brethren, and especially the act of organizing a government, and taking jurisdiction of the Mississippi river, and seizing the forts, are all acts of war, which would not be tolerated by this Government if practiced by any nation upon the face of the earth. But it was not of that particularly that I wish to speak. I wish to speak of another sort of coercion that has been practiced towards us, and I fear it was intended—I mean the coercion arising from holding such views as these:

"Well, now, it is idle to dispute about secession, or the right of secession.—The fact is, South Carolina has gone; and then Alabama says, the fact is, South Carolina has gone, and we may as well go also. And little Florida said she would go too, and so of the rest. All these are *facts*, and must be treated as *facts*." Well, what is the meaning of that? Why, the logical sequence is, that the fact is to operate on us to determine *our* action. In other words, we are to do now what we would not have done, or thought of doing, unless these examples had gone before us. I say that is practical coercion. Then, again, their resolves in regard to the international slave trade, cutting it off and not letting us carry our negroes among them. That is coercion likewise, and it is unfriendly coercion, it is unsisterly. But let it pass. I dismiss the whole subject of coercion upon the ground that we live in a Government in which no great results can ever be brought about by the exercise of power.

Now, after the South abandoned, us leaving the Federal Government in the possession of the Republican party, what has that party done? My friend from Lewis said it had not abandoned the Chicago platform. He ought to take that back, because it is not just. You remember that, at the last session of Congress, there was a little sprinkling of slavery in New Mexico, created there by Territorial Legislation for the especial benefit of the officers of the army, who wishing body servants to go with them when they were ordered into the Territory, and had no power to refuse, desired them to clean their boots, brush their clothes, and attend to other work of that sort, and they took their slaves, and as some of them had been sued for taking slaves where the laws had prohibited slavery, the Territorial Legislature recognized slavery for the special accommodation of those officers. Now, one of the parties in the Lower House of Congress, in accordance with the platform made in Chicago, moved to repeal that law, and they did repeal it. The Senate rejected the measure. This was before the Presidential victory had been achieved. But since that victory, seeing that they have the whole power of the Government in thir hands, they have organized three Territories, two of them south of Oregon, and yet no man of the Republican party has risen in that body, either in the Senate or the Lower House to attach a Wilmot Proviso to an act of organization. What does that prove? Is not that a surrender of the party platform? Is not that a patriotic evidence of a disposition on their part to meet the issue in the spirit of kindness? They had the power, why didn't they use it? If you say that the action of the South probably has scared them; very well I do not care what is the cause. If you put it down to the ignoble sentiment of fear and not of patriotic inspiration, be it so. But the fact is nevertheless that, with the power in their own hands, they have organized three Territories, and they have just done it, and two of them are south of Oregon, and no Republican in the Senate, not even Wade, nor Hale, nor the radical Sumner, nor the clear-sighted, far-seeing Seward, nor Lovejoy in the Lower House—whom, by the by, I don't regard as a Republican at all, but as belonging to the school of Wendell Phillips and Lloyd Garrison—has risen to ask that a Wilmot Proviso be attached to the act. I think it is a clear and unmistakable evidence of a disposition on their part to surrender dogmas to the welfare and the peace of their country.

On motion of Mr. WATKINS, the Convention adjourned.

SIXTEENTH DAY.

ST. LOUIS, March 19th, 1861.

Met at 10 o'clock.

Mr. PRESIDENT in the Chair.

Prayer by the Chaplain.

Journal read and approved.

Mr. WRIGHT. Mr. President—I am admonished, by several considerations, to be as brief as possible in the remarks I feel it my duty to offer to the Convention this morning. First of all, I find the instrument of language perishing—that my voice is failing; and then, again, I know I have occupied, largely, the attention of this body, and I feel a delicacy that every gentleman will at once appreciate—in occupying so much of your time, when there are other wise and patriotic gentlemen who have minds to think and lips to utter.

To me, one of the most alarming signs of the times, in the way of doctrine, is the idea that has been suggested by our Republican friends of the North, touching the re-organization of the Supreme Court. Now, I don't attach much importance to the mere fact that the Republican party hold that the decisions of the Supreme Court are not binding upon all departments of government; for we know, historically, that that was the precise position taken by Jefferson, and followed by Jackson. In the days of the Hero of the Hermitage, whose spirit, I trust, is exercising an active solicitude in behalf of a country he loved and tried to preserve—in behalf of that Union touching which he uttered a sentiment that struck every patriotic heart in this land—it is well known that during his administration he took the ground and his supporters took the ground, that while the decisions were binding in all cases that went before that tribunal for judgment, yet those issues were not binding upon the co-ordinate departments of Government. If our Republican friends had stopped there—although I think that doctrine erroneous—yet it would not be alarming, except for the supplemental idea that it is the duty of the Republican party to reorganize the Supreme Court. I call the attention, in a friendly spirit, of the conservative Republicans in the country, and such as are in this body, to the kind and character of that organization. If I understand it, it is a revolutionary idea—revolutionary, I mean, in the sense that it wholly changes the character of our Government. The reorganization is to be effected by obtaining judges from the different sections of the country, and making a judiciary of the United States representing the wishes and will of the people of the different sections of the country.

Now, Mr. President, I take it to be a very clear idea of constitutional law, that all political agents do represent the will of their constituents. And in all matters not contrary to the fundamental will of the people, as expressed in their fundamental charter, the Constitution, that will is entitled to great respect, and sometimes to perfect obedience; but in what proper sense can it be said the Judiciary are representing the will of anybody? They represent nothing, except it be the law, and it can not be said they represent that, because they utter that and administer it. The moment a judge upon the bench looks to the will of his people in the administration of the laws of this Government, that moment he is unfit to occupy a seat. If he deliberately, in administering the law, considers himself the representative of a sectional interest—that very moment he ought to be hurled from power by impeachment. I say, therefore, I want my Republican friends to reconsider that utterance, made in a distempered heat of an excited political canvass, because if they will examine it, they will discover it revolntionizes the very nature of our Government, popularizes the Supreme Court, changes its character entirely. Who that has pointed to that tribunal in its silent workings, to that power serene and calm, but has not felt a pride in the fact that popular conflict could never be made the instrument of its destruction.

Reorganize the Supreme Court upon a sectional idea—I don't care whether North or South—and it would lose all its efficacy and virtue; it would be subjecting it again to a conflict of opinion upon a sectional issue. And instead of a great body, entitled to the respectful judgment of mankind, whose decisions would be quoted as authority on this or any other side of the water, it would descend to the mere partizan tribunal representing sectional interests, and become a mere political instrument. I take it, Mr. President, that is not the intention of the Judiciary, and such an invasion of the powers of the Supreme Court of the United States would be contrary to the design of our fathers who organized it.

Now, Mr. President, with the indulgence of the Convention, I will add a few words upon what I regard to be an important first principle to be respected and followed in all our actions here. I have endeavored to show that the right of secession is not only a heresy, but that it furnishes no remedy for our ills; it aggravates them—it breaks up the Union which is hallowed by the martyrs and which ought to be immortal. But is there no other right by which a people under oppression may throw off that oppression and build up a government for themselves to accomplish the object desired? Surely there is, and that is the sacred right of revolution. But is that an unlimited power? May that be exercised at the mere whim and caprice of men who are restive under the law? Are *all* revolutions justifiable? Can men revolutionize whenever they feel like it? Is that the law of revolution? I submit respectfully that it is not; that in no civilized nation now is it regarded in that way. It being a great, a terrible and a sublime power, it cannot range without fetters. Every enlightened nation in the world sees that a limitation must be put upon this sacred, terrible and sublime right of revolution. Our British ancestors recognized that principle, although they lived in a monarchy where the popular fiction said the King can do no wrong, and where the other fiction prevailed that Parliament was omnipotent. Even in that country, resting under a throne and governed by a Parliament who made the laws, still our ancestors, prompt to use the power of revolution, always recognized the power of limitation upon that power. Our fathers who broke from the British crown, or rather who went from that country, when attached to the crown, came to these shores, and brought with them as a constitution, this conservative position—that the right of revolution must have limitation; and they added another limitation peculiar to our American institutions—they put another discriminating, intelligent limitation upon the right of revolution, unknown in any other country—because in making their Constitution, they provided in the very instrument which founded the Government, a means of correcting the evils of its actual working. Revolution in this country ought not to begin with the sword. The revolutionary feeling cannot lawfully make its first expression a resort to arms. There must be, says Madison—it is a distinguishing characteristic of our institutions, said that father of the Constitution, that we have found out positively a method of correcting the revolutionary spirit without a resort to force, or the shedding of blood; that we have found a certain defined instrumentality by which, without any sword leaping from its scabbard, or any gun bursting in air, we can correct the evil and put down oppression, and cure public disorders and ills. And that is the manner in which they have provided for amendments to the Constitution of the United States. In all cases of the practical workings of that instrument, the hopes of those who made it have not been disappointed.

Now, Mr. President, can we condescend to give respect for this important limitation? Can we, with a proper regard for the men who made this matchless and unequalled instrument—can we think of ever using the revolutionary right until we have exhausted all the limitations, all the remedies for the correction of evils, that are provided for in the instrument itself? Is it not one of the worst signs of the times, that the revolutionizing spirit is encouraged by our men, and especially our young men—that they cannot think of exercising a virtue of patience which at this time is at least a political necessity; that they cannot think of exercising such a virtue as that, because their sensibilities are wounded; because they fear there will be some imputation upon their courage and bravery; because they think they must show a disposition to refute all wrong, and because they cannot be patient under suffering. What ills does the Constitution provide a remedy for? Does it provide for all public disorders? Has it omitted any? Has it not looked over the whole scope and horizon of possible events, and guarded against everything? I know of but one thing they were unable to provide for; I know but one thing they have not provided for, and that is voluntary and causeless suicide. That was a thing their prescience and forecast and their statesmanship could not regulate. Everything else is provided for. The ordinary evils of government are provided for by checks and balances in the system. Look at that wonderful frame of government, and see how strongly the checks and balances are provided, and the objects of those checks and balances. Why is it that a member of Congress can serve only two years? Why does a Senator serve but six years, and why does the President serve but four years, and why does the Judiciary serve only during good behavior? What is the reason of the difference in tenure of a Senator and Congressman? Why do they put them upon these short terms? Was it not for fear on account of the lack of good behavior? Do the practical workings of the Government show that their theory was right, if they had a theory which they reduced to practice? All governments, says Marshall, are based upon the idea that limitation is necessary to the healthful exercise of their functions, for we have to distrust men and political agents. If we suspect them of wrong, we must put limitations on their power. Our fathers thought every member of Congress would do wrong; and because they thought the President would do wrong, because they thought the Judges of the Supreme Court would do wrong, they put limitations upon their power, so that the people, the source of all power, should have the right in their own hands to correct these evils, and not suffer for a long time under the practices of a bad government. If Congress goes wrong, the ballot-box is the power by which they are to be turned out and better men put in their places. If Senators have a little more of what is called in these days back-bone or vertebræ in their political organizations, to stand out a little longer against the popular will; if they can stand out four years more than the Lower House, still whenever they become misrulers, they are turned to the people, who speak through their agents, and by which these men can be hurled from power. Look at the President. He lives four years—not so long as the Senators by two years, and two years longer than a member of the House. Of course he remains only four years, because the original hypothesis is that he will do wrong, and, therefore, that he shall not have the power to do wrong more than four years. But in the meantime he shall be subject to limitations. The Judiciary may sit for a life time, but not a day longer than they behave themselves. Now, this being the theory by which the ordinary misrule of government may be remedied, let us look at its practical operation. Mr. Lincoln is elected by a minority of the people of the United States; but men have gone into the Presidential chair by a large and overwhelming majority of the people of the United States, and such is the admirable superstructure of our Government a President has always found himself checked by the co-ordinate departments of the Government. Jackson when he went into power, found the Senate against him, and could not make his ordinary appointments. Day after day he would send in nominations, and day after day they would be rejected. You all remember the struggle that took place in connection with Hill, of New Hampshire, who had been appointed to some office by Jackson. Again and again was he black-balled by the Senate, until Jackson had to give in. Hill went off to New Hampshire, where he was elected to a seat in the Senate of the United States. On the day he took his seat, the public mind was curious to know how such a man as that could take his seat in the Senate. Some one asked Mr. Breckinridge, a gentleman who served with Jackson in the Florida war, what he thought about it. "Oh," he replied, "the Senate have disgraced Mr. Hill, and now, I suppose he is determined to disgrace the Senate." [A laugh.] You know, in point of fact, the action of Jackson's administration was "back-action." He was continually at war with both houses of Congress, notwithstanding which, the people were ready to sustain him. I mention this matter, to show you the admirable framing of our Government; by which it is provided, in point of fact, that a majority President cannot misrule. Mr. Fillmore was check-mated during his administration by the lower House. John Adams is the only President I know of, in all our political history, who went into power with all departments of Government in his favor—the Senate, the Lower House and the Judiciary. And now, mark the remedy furnished for the flagrant misrule of his administration. During his time, they passed the sedition law, likewise the alien law, which gave birth to those resolutions of 1798 and 1799—those remarkable State papers so variously construed all through the United States, which our Democratic friends, wherever they meet in council, construed alike—but finding it necessary that there should be a plank in their platform, they adopt in their *obvious* meaning, feeling perfectly sure that if any one undertook to explain their meaning, an adversary would rise up and slay him. When the law was passed which made it a crime to speak disrespectfully of the President of the United States, what was done? Judge Chase left the Supreme bench, and went cavorting into Maryland and Virginia, trying men who had violated this law, Judge Chase, backed by the power that gave birth to that law, went off to enforce it, and it was enforced. The case of Matthew Lyons is a leading instance in this respect. Men were imprisoned and fined, but the judgments were not executed. Well, what did the people do? Did they secede? Did they talk about the right of eminent domain? Did they capture the mints? Did they seduce the officers of the army from allegiance to the country? Did they organize a Provisional Government? No. They just exercised the power given in the Constitution—the power of the ballot-box—and away went John Adams, and away went the Congress, and away went, in a short time, the Judiciary, and Chase, himself, was impeached.

Now, the question of that hour was not whether men had the right to carry slaves into the Territories; it was not whether men had the right to reclaim a fugitive slave. But the question was whether they would be slaves themselves, or whether they would take the remedy provided by our fathers, and effect a perfect cure for the whole disorder.

I know, Mr. President, our complications now are not like those, but I know the remedy to correct the present disorders, and appeal to it—a remedy which was designed by the framers of the Constitution to cure every ill, and to provide for everything but a causeless and wicked suicide.

What is it a National Convention can correct? Some gentlemen say they are afraid to trust a National Convention—that the people of the North have got the power and can vote us down, and refuse to give us satisfaction. That is true; but, on the other hand, they may do everything we want done. They have the power to do so, and they are the only people who have the power, and one of two courses is inevitable—either break off from the Government, and follow the action of our sisters whom we say are acting wrong, or go to the fountain head that corrects all evils. If they will give us satisfaction who will complain? What heart will complain? If they refuse, can we be in a worse situation than now? I say to the gentleman from Marion; and I could point to one or two other gentlemen also; I say to them, if secession be a right, it will do to keep. It won't spoil. We shall have as good a chance to use it in one year, or two years, as now, and in the meantime we can be getting ready for it, and preparing to use the remedy. Now, by these remarks I don't mean that secession is the proper remedy, for I hold that in exercising it we should be guilty before the world in setting an example by which all future governments must be destroyed. There is however the right of revolution, but before we can exercise this right we must take preliminary steps in the exercise of constitutional remedies. I see that Virginia has intimated in a report from a committee in her Convention—the chairman of which was an old student of mine in New York, forty years ago. Mr. Conrod, a gentleman who resides at Harper's Ferry, within a few miles of where John Brown and his compeer patriots were hung—this report from the committee of which he is chairman, suggests the propriety of a Border State Convention at the city of Frankfort, Ky., towards the last of May. I trust that we shall all vote to communicate with these Border States. But we can't stop there. That would not be final, for at last, by whatever route we travel, whether in a straight line or a circumbendibus—whatever course we go, at last we must reach a National Convention. There, our trouble will be brought to a head; there we will know whether we can live together in peace, or whether we shall have to separate peaceably or forcibly. Now I do not suppose anybody here doubts the unequivocal nature of my allegiance to my country. I have loved it from my boyhood to my manhood, as the only stronghold of liberty on earth. All my hopes are wrapped up in it. I believe the hopes of humanity are centred in it, but I know well enough—for I see the characteristics of the times—I know that an adjustment is a positive and indispensable necessity, and there is no man in this country who has brains, but must accord to the sentiment that an adjustment, a fair and honorable adjustment, an adjustment fair to the North and fair to the South, is an indispensable necessity. We have presented as a basis of adjustment the Crittenden resolutions. In a conference of the Border slave States our mutual counsels may result in something different from the Crittenden resolutions, because the Crittenden resolutions are nothing more nor less than a means to an end, and we are seeking to reach that end. I was at first opposed to the calling of any preliminary convention, because it is extra constitutional. It is not one of the remedies provided for, although there is nothing in the Constitution that forbids such a remedy. It is merely a discussion or an association of mind with mind, directed to the public ills and a means of pacification. I was at first opposed to it, because I thought that we should move directly up to our Northern brethren in the form and manner which was strictly Constitutional, and which would be final, and the only method by which we could permanently adjust our sentiments. But, I believe upon reflection, it is wiser to take a Border Convention, especially for this reason: that there is a little difference as to what *are* the causes of our troubles. If South Carolina were to write down her cause, it would not be our cause. We know South Carolina goes out of this Union, not by reason of any trouble about the slavery agitation, but she goes out upon the idea that the revenue system of the United States has worked aggressively upon her. For thirty years her agents—and such men as McDuffie—have been striving against the forty bale theory as it is called, a theory by which, as South Carolina thinks, the Government of the United States gets, and the North gets, or that South Carolina loses, and somebody gets, forty bales of cotton out of every hundred raised in South Carolina; and if it were true, it would be an oppression which no people could bear, for it is taxing the people heavily, and to escape such an oppression, they would be justified in resorting to revolution if there could be no amendment to the Constitution, or if their oppression could not be remedied by Constitutional means.

I am afraid if the Gulf States, the cotton States, were called on to write their grievances, they might not be what we would write. What did Yancey mean by saying in that remarkable letter of his, that he was "anxious to precipitate the cotton States into a revolution?" Why the cotton States? Why not all the slave States?—Why did his scope of vision contemplate with pleasure and complacency such a result as the precipitation of the cotton States into a revolution? Think of that. It was one of the troubles at our efforts at pacification, and it will be one of the troubles in bringing them back, because I see clearly that their idea is to secure the breadstuffs and provisions of the valley of the West, and get their manufactured goods from England. There is the whole desire. That is the desire and that is the wish that precipitated the cotton States into a revolution. It will be a formidable idea to meet in a re-adjustment. These people—I mean the leaders — have been in earnest about this matter for a great many years. The idea started in South Carolina, under the dominion and power of such minds as McDuffie, Calhoun and Hayne. It has exhibited itself in various ways—in the establishment of a Southern commerce as a rival to the centralization of commerce in New York. I wish to say I have no disposition to prevent our Southern brethren from endeavoring by enterprise, legislation and capital, to change the channels of the commerce of the United States, if all is done in harmony with the Constitution of the country and violates no law. I should like to see a great commercial emporium rising up on the Atlantic sea board of the South. I would be pleased to see it, as large benefits would result to us in the West, we people of Missouri and St. Louis, by opening a new channel for the trade of Europe, and by decreasing the monopolizing power of centralization in the bay of New York.

I know the people of the West and the South, are paying brokerage to the people of N. Y., and have been for years. They are the money-changers, and get millions from us in the South in the way of exchange. Look at the difference between exchange sterling in New Orleans and New York. It is 6 per cent. at New Orleans and 9 per cent at New York. And why? Because the demand for exchange sterling is small at New Orleans, and great at New York. But I do not want these benefits to be brought about at the expense of the Constitution of my country, or at the sacrifice and dissolution of this Government. Still, in spite of the temptation—the glittering temptation of a Southern Republic, whose basis is cotton, and whose policy is free trade with Europe, and provisions from us—notwithstanding the glittering and fascinating character of that government so founded, I am satisfied if we do our duty and the North discharges its duty, that ephemeral power will fade away into thin air, dissolved by the dews of patriotism. They will come back because the difficulties are so great. All governments are difficult in erection; it is a much easier task to pull down than to build up. Our Southern brethren are beginning to find this out. Louisiana is this day debating where she shall go—whether she shall stand by herself or enter a Provisional Government. Look at her secession and Union papers, and there you will find a wonderful concurrence of opinion about the propriety of considering where they are to go. Whenever Louisiana begins to hesitate—after she has yielded to this tempest of secession—where she is going, there is no doubt about where she will go. She will not go at all. She will simply come back. She knows there are other difficulties which she would have to meet as an independent government. She is at the mouth of the Mississippi, and knows the necessity of this great valley. She knows, likewise, that the people of this valley will never permit her to take jurisdiction of that stream, however mildly she may be disposed to exercise that power. It is one of the impossibilities of her geographical position. Again, the position occupied by that government makes extraordinary demands on her people: export duties on cotton, a standing army, taxation never felt before by the people, and murmurs arising from taxation. Taxation is the almost universal source of revolution.—Taxation has made revolution the world over. As soon as the sensitive pocket nerve of the people is touched, as the hand goes down deeper and deeper to meet the exigencies of the government, the people will begin to think of their condition before they swung from the Union. Every man will be prepared to speak to his neighbor of the state of things that previously existed, and a patriotic feeling will set in which will hurl their oppressors from power, just as the Missouri river, where it meets with the Mississippi, hurls upon the opposite shore the more peaceful waters of the Mississippi. But the government at Montgomery is not the only government that is in trouble. The Government at Washington is in trouble. It is a very easy thing to talk about coercion, but the difficulty presents itself at last that you must come down to constitutional means to accomplish that object; and the more the Cabinet studies the matter, the more they will perceive the impediments thrown in the way of recklessness, if recklessness is the desire. I am glad of it. If my old friend Lincoln—whom as a man I greatly respect—for whose intellect I have had a regard and have still, in spite of his itinerant speeches—if he would give me his ear, and my voice would have any influence, I would tell him, Withdraw your forces from Sumter; don't collect the revenue, you cannot do it; it cannot be done unless you change your laws; you have got no warehouses to meet the demands of the importer; if he says I will put my goods in bond, you cannot do anything. A multitude of agents would have to be created to carry it into effect, and it would result in a dead loss and bankruptcy to those who look upon this as a means of filling the empty coffers. Don't you think Seward sees it? There is not a man in the United States with a farther vision than that man Seward. He has great vision and ambition—he is ambitious, as every such man must be by a law of nature; for genius has a principle implanted in it that is not content with the men of its own time, but has its eyes always on posterity; no great man in this world has ever made his mark upon the age in which he lived, that he did not likewise make it upon after ages, and knew he would make it upon after ages. No man ever felt his aspirations bounded by the age in which he lived; and these great aspirations are put into the mind as a conservative power, because genius speaks by the soul, and that, too, after the body that held it moulders into dust; you cannot satisfy this genius without giving it to posterity, and it is this that has, in all ages, made genius conservative. I wish I had the power to pursue this line of thought. I wish I could get rid of the impression, likewise, that I am occupying too much of your time. But there is another subject upon which I have thought a great deal, and touching which I have a conviction that I deem of importance, and that I must try, at least, to deliver before I take my seat.

I am of opinion, Mr. President, that this slavery agitation, all the world over, not only in America, but everwhere, is in its last throes. I think the time is not distant when you will not hear a whimper of this slavery agitation in America or Europe. I know how difficult it is, and how rash it may be to assume the prerogative of time and determine the future, but to my mind it seems to me this must be the logical result of the practical workings of this material and practical age in which we live. The great fountainhead of the slavery agitation was Exeter Hall, in England. Under its influence, as was ably shown by my colleague, (Mr. Gantt)—under its influence, together with that of Wilberforce and of Parliament, England abolished slavery in her West India colonies. Would she have done it then if these West India colonies had raised cotton? Do you think England would have ever abolished slavery in that island if it had been a cotton growing island? I think not. If that were a cotton growing island this day, England would be cultivating cotton there by involuntary servitude in some form. She would take the African in some form and put him under bonds, or she would take the coolie and apprentice him, or in some form or other she would be engaged in the culture of that curious plant by involuntary servitude. Why? Because more than 10,000,000 of people require the cultivation of that plant. Legare said, years ago, that the man who writes the history of the cotton plant will write the history of a new civilization. At the period of the formation of our Government, when our ancestors had to put an estimate upon these barbarians brought from the shores of Africa, cotton was a small concern. It was not a living and realized idea in the world, but the invention of machinery started it out into the channels of trade so that now a man cannot be decent without cotton, nor a woman either. We cannot sleep in comfortable beds without it. There is no abolitionist in the world—Beecher, or Phillips himself—that lives without cotton. He wears it in his hat; his family, his wife and children are clothed with it. The food he eats springs from the same source—the source of slave labor, as well as every luxury. And although this consideration has not been potent enough to stop fanaticism in the North; yet fanaticism, under Providence, is short lived. It is upon this philosophy that strong emotions soon exhaust themselves. All fanaticisms of the world have been short lived; for it is the law of their nature. The longest fanaticism in the history of the world was that of England. It was the fanaticism of the sword. It was a fanaticism in a period of the world's history when chivalry prevailed; when men would meet in the arena and shiver a lance with each other, or wield the battle axe in the actual field of battle. There was no commerce, and there was no great amount of civilization; England was nothing more than a great camp—a marshalled and military camp. Its few merchants that were seen about London, did not understand the value of the spindle and the loom. These were not then in motion. Commerce did not depend upon manufactures. There was no great interest of that age opposed to fanaticism; and, therefore, it could run riot and work deeds of prowess in Palestine, and attempt to rescue from the grasp of the Moslem the tomb of the Saviour. But, if England had been in that day, what she is now, no Peter the Hermit could have moved her. Fanaticism may run riot, when it is not opposed to the material interest of the age. What is Exeter Hall now doing in England? There was a time when she was a power in that land, as Parliament and the London Times now are. You know England, for a number of years, has been struggling to grow cotton elsewhere than in the United States. You know the partial failure of our crop, at one time, made it necessary that she should look for a supply from other sources. She sent out pioneers in every land. The vision of those practical statesmen had been looking all over the earth to find cotton—in India, Africa, Australia and South America, and France, likewise is now nursing her Algeria, to bring about the same result. But is there anybody here that does not know the white man is not going to cultivate cotton. He is not the man to keep the looms and spindles of England in operation. If it is to be done, it must be by the Coolie or the African. In that remarkable continent in which England is now endeavoring to cultivate the cotton seed, the African must grow the cotton for the looms and spindles of England if it is grown there at all. So, as we look everywhere over the surface of the globe, wherever we find the geological formation that will admit the growth of cotton, we find that it will be an impossibility that it shall be grown by anybody but an inferior race under the domination of a superior race. England has already proposed to give the King of Dahomy so much money for the growth of so much cotton. I have attempted to expose the cant of these crowned dynasties, by showing that while they are willing to crush out every aspiration of liberty in the breast of the white man, they can be very benevolent toward Africa, because that country cannot endanger monarchy. I say, in the anti-slavery agitation of the North, they cannot find any charities for the red man, and it is because they can make no political capital out of the red man. But they can do it out of the black man. I wonder that these men who are engaged in a mission in behalf of the black man, cannot extend their sympathy towards the Indian. When I said in a humorous way yesterday that the red man was in such a condition as to inspire the hope of ultimate extinction, one of my friends could not appreciate the sentiment, because he felt a sympathy for that noble race. We have taken their country. Our cities and our houses rest upon the graves of their dead. We have denied them dominion of the soil and subjected them, and I suppose Boston stands upon the graves of Indians, as well as New York and other proud cities which, under the free play of our institutions, have arisen through the country. The free labor in the North is now working upon the grave and the home of the red man, and yet there is not a man or woman there in this age of woman's rights, that have associations of charity and benevolence for the benefit of the condition of the red man.

As I have already shown this slavery agitation has entered into the organization of parties both North and South. What does England say in view of the probable disrupture of our Government? The London Times comes out in an article in which it says:—"It must be confessed that Exeter Hall was popular in this Island; it must be confessed that when Mrs. Stowe sent out her work, this Island furnished a million of appreciative and hungry readers; and it must be confessed also, that all this is abstract. The Americans must look at things in the concrete. Looking Southward we say what would Liverpool and Manchester be without slave labor?

What would be the condition of commerce without slave labor? Every man who has arisen in the House of Lords or Commons has uttered the same idea, and if you go across the channel, and peep in upon the secrets of Imperialism, you will find the same idea. Every man that knows Napoleon the III, knows that he is a far seeing man, and that he knows how much stronger diplomacy is than the sword. Every man who has paid any attention to his movement, knows that there is no abstraction under Heaven to which he would sacrifice the interests of France. Looking to those two most important nations—looking to their manufactures, their commerce, and looking to the elements that constitute their greatness, I don't see how it is possible to avoid the conclusion that in the Old World, at least Exeter Hall must "dry up." How is it at home? At this day Phillips cannot get an audience in Boston to make anti-slavery harangues.

Phillips is one of those gifted men in the world who have the charm of eloquence. A finer orator does not live on the earth to-day, perhaps, than Phillips. He has held spell-bound, multitudes of fanatical people, year after year, and now, in what we conceive to be the very hot-bed of fanaticism, he cannot speak. He is dependent upon a Republican mayor to save him from the action of a mob. Look closer; come to Chicago and look at their platform. See how small a part of that platform is confined to the slavery plank. It is a parenthetical article in a large programme of policy. I know they made the most of it in the late contest, but I think I only do the supporters of the Chicago platform justice in saying that they did not intend to use slavery agitation longer than in that single campaign. They made the most of it. They fought it with infinite skill and energy; but it is manifest from the structure of their platform that they looked forward to a period of time in which this slavery agitation would die, and that they would be compelled to stake themselves upon other policies. What are those other policies sketched in that platform? Right or wrong there is a magnitude in them. Look at their action in Congress, before the Chicago platform was made. Notwithstanding many of them came from the Atlantic seaboard, yet when the question was raised, shall Congress grant aid to the oceanic steamers? where did these Republicans plant themselves. They voted against it, and instead they favored a Pacific road, telegraphic lines and the homestead bill, and the carrying of the mails across our continent to the smooth sea. Why did they favor the homestead bill? Because, as Seward said in his Madison speech, it is necessary for free labor. Free labor in America is fast approximating to the European standard of value, says the philosopher of Auburn in his Madison speech.

Free labor, that has been so much praised as the monopolizing interest of this country, cannot live in the North. It must have its outlet in the great West. We must lift up the feudal tenure, and make it the home and outlet of free labor. In other words, Seward says this, that no party can arise in this land and maintain itself, either North or South, without it attaches itself to the great seat of empire, and every plank in the Chicago platform that is a material plank at all, looks to the seat of power in the West. The slavery agitation was only incidental; they made the most of it, but they have provided something to fall back upon. The men who met at Chicago were far-seeing enough to know that the Atlantic dynasties must perish, and that the seat of empire is here in the West—that the West will have a potential voice in the legislation of the country—that "Westward the star of empire takes its way," and the politicians are sharp enough to see its beams of light. For all these reasons, my heart is not sad, like that of my friend from Clay, (Mr. Moss) or hopeless, like that of my friend from Jackson (Mr. Comingo.) I look forward hopefully and cheerfully through the thick gloom of the present, and I see the light bursting. It is clear to me that we shall have an adjustment. It is as clear to my mind as it is to my physical vision when I see the eastern horizon streaked with the dawning light, and thereby know that the gates are open and that the god of day will soon arise.

I should not feel happy unless I looked upon my country as a whole. I want the North and the South. I want the whole North and the whole South. I turn my eyes to that classic land upon our Atlantic border, and I see some monuments of patriotism with the eyes of my soul. First, I look at Moultrie—classic ground, and an altar *dedicated to liberty.* I see Cowpens and the Guilford Courthouse, and Camden, and King's Mountain. I see these as clearly as I see Yorktown, and thus I remember some of the names—a Pinckney, (grandfather of the present Governor of South Carolina,) a Rutledge, a Hayne, a Sumter—glorious, gallant Sumter—a Jasper—Sargeant Jasper—a Marion, and a thousand other worthies that belong to *me.* They are *my* property, *my* glory, *my* assets—a part of my assets and derived from the birthright of American citizenship, and I never could give them up; they are indivisible. Now let me look at the North. First, in the great panorama that comes before me, is Concord and Lexington and Breed's and Bunker's Hil, and there is Harlem Heights and Stony Point and Saratoga! And are not these *mine* also? Are they not *my* assets also? Do they not belong to me and you? And are they divisible? Then there are the names of such a crowd of noble souls that I cannot enumerate them, but among the first martyrs I see a Warren with the blood upon his breast on Bunker's Hill. Oh! would the times were come again when men from the South would rush to the assistance of the North in time of need, as they did from my native State from a little valley on the Shenandoah, when the first blood was spilt at Boston. They were not troubled in the valley of the Shenandoah, then, with hostile feelings, but they said these men in Massachusetts are our brethren; they are fighing for liberty. And so these one hundred and fifty men met together and would take a bee-line for Boston; and that they would also, fifty years from that day, on the anniversary of their march, meet at their place of rendezvous, and upon the banks of the Shenandoah celebrate their march. They went, and George Washington saw them: they were dressed in the primitive style of the people of that day, with red hunting shirts; but Washington knew Captain Stevenson. Springing from his horse, he seized the brave man by both hands. He could not speak; how could he, when the tears of patriotism burst from his eyes and overwhelmed and drowned his voice? It was not the cause of Virginia, but it was the cause of Virginia's brethren in the North. Errors like the present had not then sprung up. Doubtless these errors spring up naturally because of the free play of our institutions, giving independence of mind and thought to all; and surely that is the best mode of all by which we can root out error—by the free play of intellect and reason—and after these errors have subsided we will be once more a quiet people—a greater people and a stronger people than we ever were. Having learned to suffer the ills of adversity, and coming out of the trial more vigorous and full armed, we will have all the powers that will make us great by all the affection that makes us brothers.

Mr. Bast. Now, sir, at first sight it occurred to me there could be no argument against a resolution of that description. (The first of the series reported by the Committee on Federal Relations.) We all admit that we are now in trouble. No one doubts it. Every argument that has been produced in this Convention has been made in reference to this matter, that we are in trouble. What are these troubles? Is our commerce and progress the same as heretofore? Is the peace and quiet of the country as it has been heretofore? Are the minds of this immense number of people in as quiet and tranquil a condition as before the present agitation was commenced? I think there are many causes to operate upon the minds of the people, which causes are weighed differently by different individuals, as illustrated by the members of this Convention, and the people through the country. If we have any cause, what is that cause? Have the Southern people of this confederacy, who have withdrawn from the present Union, any cause for doing so. Are they not contending for their own just rights—their families and their firesides? They are well aware from the aggressions of the North as they understand them, that in the event of the entire success of its own opinions, it is the intention of the Republican party to extinguish the institution of slavery, and by extinguishing it do they not at once extinguish all their hopes for the present and the future. Their very sustenance depends upon the maintenance of the slave institutions of the South. Upon the slave property of the South depends the cultivation of the soil which, on account of the warm climate of the South, cannot be cultivated by any other labor than slave labor. Who can make cotton? Can white labor be performed in that country so as to make it profitable? Great Britain has tried various plans to run in opposition to the slavery of the South, but without success. Cotton can be supplied more cheaply from the Southern States, than from anywhere else. I say, then, this is a question of life and death to Southern interests. We are exempt from that cause to a great extent. Our institutions are like theirs, and though we might live without slavery, yet our interests are identical with them, and I think we can, with strict justice to ourselves, say to the Southern people that they have not at least done very wrong in taking the course they have. I may be considered and pointed out as a secessionist, but I say such is not the case. I am no secessionist. I do not represent a secession constituency. I represent as honorable a constituency, as high-minded and patriotic a constituency as any representative on this floor. They are not secessionists. They are men who are in favor of their just and independent rights, and they would say to any person opposed to their interest, we demand our rights; we do not intend to come with suppliant knee and petition for our rights, but we come boldly and say we demand our rights, and nothing more; we want nothing more than strict, honest, just and constitutional rights, but being a magnanimous people, and taking into consideration the present excited condition of the public mind, we are willing to say we will compromise and take what our sister border States are willing to accept. Under these circumstances, we are ready to say, if you will not continue your aggressive acts, we will remain with you; but if you continue to persevere in those acts, we must then fall back on our reserved rights. Mr. President, I don't think it is necessary, and neither would I undertake to discuss this question in relation to the formation of our government. I conceive it to be irrelevant to the question at issue. We are called here for a certain purpose; our country is in trouble, and we are called here to bring about some means of reconciliation if we can do so. What has the foundation of the government to do with the reconciliation of these difficulties. The facts are before us; our country is dismembered; commerce is trammelled; we are fettered in many ways, and is it not indisputably necessary that we should set all irrelevant questions aside, and say at once to the country at large, what we think should be done? Now the Crittenden plan of adjustment has been proposed. I believe it is acceptable to a majority of this Convention, and to a majority of the people of Missouri. The Crittenden amendment extends to Territories hereafter to be acquired. I do not think there can be any serious objection to the adoption of a proposition of that kind. But we know that in accepting that, we are not getting the full extent of our rights; but, as a magnanimous people, and for the sake of compromise, we say we are willing to accept a little less than our rights, and compromise these difficulties.

If the difficulties under which we are laboring—if I can consider in relation to the difficulties and troubles that caused our Southern brethren to secede, if they are operating upon us—if these troubles have caused seven States to secede, and most of the other slave States to call Conventions, and take into consideration these difficulties, is it not necessary that we should pause and reflect before we say there is no cause why Missouri should separate or change her form of government. I think there is ample cause. There is at present—and I am speaking to an intelligent audience—there is, I say, ample cause why Missouri should secede. But I do not wish it to be understood that I advocate the doctrine of secession. I say, however, we have cause to secede, but good sound policy requires us as a magnanimous people to act in co-operation with our sister States, and bring about a reconciliation, and bring back the Government to its pristine purity, if such a thing can be brought about. It would be the happiest act of my life if I could in any degree bring about that desirable end.—When I came to this Convention there were other subjects on which I expected to speak, but as, we have the privilege of speaking to each of these resolutions, I will not occupy any more time. I wish, however, to say in conclusion, to the latter part of this resolution, that it is the duty and for the interest and welfare of Missouri, under all circumstances, to exert herself so as to secure the rights and equalities of the States.

Mr. Allen. In the conclusion of my speech the other evening, I remarked that in the event that an adjustment could be accomplished between the North and the South; that if we could induce the Southern States to come back into the Union again, that I would be ready to act as the father in the case of the Prodigal Son; that I would go out and meet them, and fall upon their necks and kiss them. The question is, whether I would be for kissing the ladies or the gentlemen. In that case it would be the ladies I would be in favor of kissing.

Mr. Redd. Before the resolution is passed upon I desire to offer an amendment. Amend the first resolution by striking out the word "cause" and inserting in place thereof the word "motive." I will not say anything further, Mr. President, except this: the Convention knows my views in relation to the causes that exist in the shape of violations to the Constitution. It knows also that my views are, that when these causes are sufficient to justify it a State has the right of falling back, as the Convention of Virginia has expressed it, upon its reserved rights. The word "cause" may be used as synonymous with the word "motive," and I believe it is so used.—If so used in that resolution—I have no objection to the resolution; but it is not always so used. If, however, we design to use it in that sense, and under the existing state of things, and in view of an amicable adjustment, declare that there is no MOTIVE adequate to impel to withdraw, then I have no objection to the resolution. It meets my views. But I offer this amendment simply that the idea may stand out plainly upon this resolution.

The vote was then taken and the amendment was lost. The original resolution was then adopted—ayes 89, noes 1, Mr. Bast voting in the negative.

The Chair. I will remark to the Chairman of the Committee on Federal Relations, that he offered a resolution which was laid upon the table and ordered to be printed. Does he design to have it acted upon now?

Mr. Gamble. The resolution was offered as an additional resolution, and not as a substitute.

Mr. Hough offered an amendment to the 5th resolution:

Resolved, That, in order to secure our rights under the Constitution, it is of the greatest importance that the public peace be preserved, and, in the opinion of this Convention, it cannot be done if the General Government continues the occupation of forts in the seceding States; we, therefore, request the President of the United States to withdraw the troops from those forts.

Mr. Hough. I may at another time be able to say something in regard to this proposition, but at present I am too much indisposed to do so.

Mr. Gamble. I understood yesterday that the motion was to take up the resolutions in the order in which they were reported.

The Chair. I think not. I asked the gentleman from St. Louis if he desired to make the motion in that form and he said no, distinctly.

Mr. Gamble. If it is in order I make the motion now, and also that this proposed amendment be laid on the table and printed. The motion was sustained.

The second resolution was then taken up and passed and adopted—ayes 90, nays none.

The third resolution was then taken up:

Resolved, That the people of this State deem the amendments to the Constitution of the United States, proposed by the Hon. John J. Crittenden, of Kentucky, with the extension of the same to the territory hereafter to be acquired by treaty or otherwise, a basis of adjustment which will successfully remove the causes of difference forever from the arena of national politics.

Mr. **Bast** then offered the following as an amendment:

Amend by adding, "And in the event of a refusal by the Northern States to agree or consent to such an adjustment of the slavery question, and our sisters Virginia, Maryland, North Carolina, Tennessee, Arkansas and Kentucky shall determine to change the relations they now hold to the General Government, the State of Missouri will not hesitate to take a firm and decided stand in favor of her sister slave States."

The ayes and noes were demanded.

EXPLANATION OF VOTES.

Mr. **Doniphan.** Before I vote I wish to explain. I cannot vote on so important a resolution as that without giving my reasons. I think, sir, it is putting forth an ultimatum, and that I am opposed to. The resolution to which this amendment is offered, I had the honor of offering myself. Missouri has no right to offer an ultimatum, either to the Border slave States, the Southern States or the Northern States. I am a Union man. I go for the whole Union—the entire Union. I go for it North, South, East and West. I do not intend to bring about a calamity that will destroy the Border slave States and the whole Union. I do not intend to say how long I am going to uphold this Union which our fathers builded. They were seven years in building it, and two mighty miracles were wrought in its formation. First, the revolution, which lasted seven years—seven years of blood and carnage and suffering, and finally crowned with victory. Second, the formation of this Constitution—which took seven years more—by men of the purest wisdom and of unquestioned patriotism; and shall we talk of settling this question in a day, when we reap the fruition of their labors in ten thousand greater fold than was ever anticipated by them. Sir, I am willing to serve here seven years, and take every means for the preservation of this Union. I am willing to serve as long as Jacob served, before this Union shall be dissolved. I am not going to say when I shall stop; I am not going to say when Missouri shall stop. Never! Never, while hope is left. I live by hope, and as a Union man I shall only die when hope dies. [Applause.]

The **Chair.** Mr. Sergeant-at-arms, if there is any more cheering in the lobby, you will please remove those guilty of it.

Mr. **Donnell.** In explanation of my vote on this subject, I feel it is our duty to co-operate with the border slave States, and, in doing so, I feel that this is not the time for Missouri to offer an ultimatum. I believe the time will come when we must co-operate with them, but I believe that time has not yet come to express that determination. When that time comes, then I believe this question will properly come up and not before. I therefore vote against the amendment.

Mr. **Dunn.** "Sufficient for the day is the evil thereof." When this question comes upon us I shall be prepared to meet it. To anticipate a question—to look forward in the course of events and say that if such and such things happen, we will do thus and so, is, in my opinion, unwise and improper. Besides, I understand the amendment to take the position that unless the Crittenden amendments to the Constitution shall be adopted, then we will go for nothing else. I am opposed to Missouri placing herself in such a position. I indorse those amendments to the Constitution most heartily and cordially, but yet it may turn out that we may not be able to get the Crittenden amendments to the Constitution, and we may get something that will suit us even better than the Crittenden amendments. I know not how this may be, but I deem it unwise that this Convention shall place itself in the predicament of saying that nothing, either better or worse than the Crittenden amendments, will satisfy us. I am opposed to taking that position. It would be just as unwise to say to the physician attending on some dear friend, if the dose of medicine first prepared should fail to cure the patient, it is no use to try anything else.—What would the wise physician do in that case? If the dose he administers fails to cure, he would try another and another, as long as there is hope of saving the life of the patient. So we should act. We should act in reference to our political troubles as the wise physician would act in reference to his patient, and as he would resort to any and every means that could promise a restoration of his patient's health, so we should resort to every means to secure an honorable adjustment of our difficulties and the restoration of our Union. We should not say in advance, if this fails, or anything else fails, we will go for a dissolution of the Union. We should leave ourselves in a condition to resort to any and every means of adjustment, in order that our constitutional rights may be secured in the Union. Now, I shall vote against the amendment. I do not wish to be understood, however, to say that, if, in spite of all our efforts to procure an amicable adjustment—if, in spite of all our efforts to preserve the Union—if, in spite of all we may do now or hereafter, redress should be refused, and a dissolution of the Union should come upon us, and the slave and free States should separate from each other—I do not wish to be understood in voting against the amendment, that I would not then be in favor of Missouri taking her position with the South. That would be her position after all our efforts have failed; after all hope of saving the Union is lost, and we are left to choose between the Northern and Southern Republics, then Missouri will take her position with her sister States of the South. I do not wish to be misunderstood in voting against this amendment in regard to that matter. But we ought not to take the dark side of the picture; we ought not to be looking to a dissolution of the Union, but we ought to exert all our efforts to restore the Union and re-establish it. And here is the distinction between a true Union man and a man who is not. A true friend of the Union is looking forward anxiously towards every method of adjustment by which our rights can be secured and the Union preserved, but a man who is opposed to the Union is looking at the dark side of the picture, and reaching after everything that is to work out our destruction, and saying that if such a thing is not done the Union is gone. As a further explanation I have but a single remark to make, and that is this: as the gentlemen who have addressed us so ably and eloquently, have paid their respects to the glorious flag of our country, I wish to say I indorse all they have said in reference to it, but permit me to pay my respects to the proud bird of liberty, now perched above the President's stand. Recognizing that eagle (pointing to it) as the type of liberty and union, I cannot better express my feelings upon the subject than by saying:

> "Proud bird! though marred by ruthless hands,
> Thy name each freeman gladly hails,
> For well he knows in other lands,
> Before thy glance the despot quails:
> Still make thy cherished home, among
> The shrines reared by our patriot sires,
> 'Till the last sceptre shall be wrung
> From tyrant hands—till time expires."

I vote no.

Mr. **Frazier**. I have often been asked what I would do if these national difficulties cannot be settled; when we have exhausted all means I have often been asked as to what course Missouri should take; am I willing to go with the North or with the South? I have replied that my feelings are with the South, but at the same time I say this, if you go out it will not be by secession but by revolution.

Mr. President, there is an amendment to the report by the Committee on Federal Relations, which, it seems to me, is calculated to meet the very wants anticipated in this amendment. I think, therefore, that there is no necessity for this amendment. Permit me to say, Mr. President, that I love this Union—I love it better than I have language to express, and I have determined that if I can do nothing to advance the peace and perpetuity of the Union, I will do nothing toward destroying it. Sir, I love every man, whether he comes from the East, the West, the North or the South, but God knows I lack language to express the deep detestation I have for the man who hates my country and would bring about my country's ruin.

Mr. **Gravelly**. In explanation of my vote I desire to say that I am in favor of the plan of adjustment proposed by Mr. Crittenden. I trust that such a basis of adjustment may be adopted by the National Convention proposed to be called in the resolutions. I believe that Missouri, occupying a central position as she does, should act as a mediator, and endeavor to bring about a reconciliation between the North and the South upon the subject of slavery. But I believe it is inexpedient to determine now that in the future we will take sides with the one party or the other. If we are acting as peace makers—if it is our object, sir, to bring about a reconciliation between those who are now divided, it does seem to me that it would be inexpedient, in advance, to decide that we will take sides with the one party or the other.

It is true, Mr. President, that gentlemen have argued here that the vote against a resolution of this kind is equivalent to the declaration that we will take the other side. It may be considered by some that in voting against this amendment we declare that in case there can be no settlement, Missouri should take her position by the side of the Northern States. But I do not believe that such a construction can rightfully be placed upon such a vote, and I shall not, therefore, hesitate to vote against this amendment. If a resolution had been submitted to this Convention declaring that if no settlement could be effected, Missouri would take her stand with the North, I would have noted NO upon such resolution, and the gentlemen who consider that to vote down this amendment, is equivalent to saying, "we will go with the North," could have accomplished their object much better by offering a resolution that, in case there can be no settlement, Missouri's destiny will be linked with the North, and then, if that resolution was voted down unanimously, according to those logical gentlemen, it would be equivalent to saying that we will stand by the side of our sister States of the South. I shall vote *no* on the amendment.

Mr. **Hatcher**. I do not understand this amendment to be in conflict with the spirit of the resolutions recommended by the Committee. I do not understand it to be an ultimatum, except in the event that all other slaveholding States see proper to dissolve their connection with the Union and go South. I represent a Union district on this floor—there is not a more Union loving people in the State than the people of my district. At the same time I represent a slaveholding district, whose feelings and whose interests are with their Southern brethren if the calamity of a dissolution of the Union *must come.* I know that I speak the sentiments of my district when I say that, if all the other slavholding States are forced to go South, they want to go South also. I therefore vote *aye*.

Mr Howell. The condition of my lungs has been such up to the present time as to preclude me from addressing this Convention, and my constituents through it upon the questions that have been presented for our action. That is yet my situation, and I shall therefore be brief in defining my position on this amendment.

Sir, I stand here in this Convention emphatically a Constitutional Union man. I was recognized in the canvass as a Union man. I represent a Union constituency. They and I, are in favor of exhausting all efforts to obtain an adjustment of the difficulties that now environ us and endanger the perpetuity of the Union of these States. We are not only in favor of exhausting all efforts to bring about that desirable purpose, but we are willing to wait to give ample time and labor for the reconstruction of the Government and the perpetuity of the Union. But, sir, after all reasonable time has been afforded, and when the Northern States refuse to afford satisfactory guarantees to the slaveholding States for their equality in the Union, and the maintenance of their rights in the Union, and the other slave States have seceded or revolutionized from this Union, it is then dissolved, and the only question remaining is: "Where will Missouri take her position? Where will she throw her destiny? Will she be a tail to the Northern kite, or will she shake hands with her Southern sisters, and say, "Come weal or come woe, come sunshine or clouds, come life or death, we will go with the Southern States, we will go with our own blood and our own kindred!"

Now, sir, if the proposition before us was in my estimation an ultimatum held out to the North or the slave States upon the Crittenden compromise, I should unhesitatingly vote against it. But I do not understand it as such. I understand it to announce the position, in substance, at least, that after all efforts have been exhausted without effect for reconciliation, and the other slave States have withdrawn from the Union, Missouri will be found in co-operation with her Southern sisters. That is what I believe she will do, and I believe it is only just to the remaining slave States to say so; and it is only just, also, to announce the fact to Northern States, so that they may understand our position and the importance of rendering justice to the slave States. Giving that construction to the amendment, I shall vote aye.

Mr. Ray. In explanation of my vote, Mr. President, I have this to say: I am opposed to that amendment, because I understand that it proposes to stake Missouri upon the Crittenden proposition as an ultimatum. I understand that it proposes to say to the North and to the border slave States, that we will take that as a compromise, and nothing else; that we will not be at liberty to agree upon terms other than those contained in the Crittenden proposition. I am opposed to this Convention of the State of Missouri proposing any ultimatum upon this subject. My policy is this: I believe that Missouri, together with the other border slave States, ought to exhaust all honorable efforts to secure an adjustment of present difficulties. I believe that it is yet in the power of the border slave States, including North Carolina, Tennessee and glorious Arkansas, to save this Union and secure an adjustment that will be honorable alike to the border slave States, and that *ought* to satisfy the States that have gone out. I believe that by pursuing a calm and dignified course of this kind, unaccompanied by any threats or menace, we can yet save this Union and secure an honorable adjustment. I am for taking the Crittenden compromise, if we can get it, or any other compromise that Missouri, in consultation with the other border slave States, may deem satisfactory to their honor and interest; but I am opposed to staking the weal of Missouri on the Crittenden compromise as an ultimatum.

There is another feature in the amendment about which I have this to say: It looks to a contingency that in my mind never can and never will happen. Virginia, Kentucky, and the other border slave States that now remain in the Union, that have withstood up to this hour all the efforts to precipitate them into revolution, and that will, in my estimation, continue to stand gloriously by this Union, in spite of all the efforts of designing men to the contrary—I believe that these border States, having stood up to this hour, will never go out hereafter. It is looking to a contingency that never can happen. I believe we can yet secure an adjustment by pursuing, as I have said, a calm, moderate course, unaccompanied by any threat or menace. For this reason I am opposed to the amendment. But, Mr. President, should all honorable efforts for an adjustment ultimately fail; if that thing should happen which ccannot happen, namely, that all the border States now in the Union should go out of this Union; my opinion then is, whether wisely or unwisely, that all the powers upon earth could not hold Missouri in the Union. In that event, Missouri would unite her destiny with the slave States. I vote no.

Mr. **Foster.** Mr. President, before casting my vote upon the amendment now pending to the third resolution, I desire to say that I was elected as a Union man, pledged to do all I could to preserve the Union, and maintain our constitutional rights, and was fully pledged against secession, and as yet I have been unable to discover any reason which would induce me to abandon that position. This amendment, if adopted, would, to say the least of it, give aid and comfort to the secessionists, which I desire shall not be done. I desire that this Convention will not do anything that even squints at secession, or gives aid or comfort to the enemies of this Government. This amendment pledges Missouri that, in the event of the happening of certain contingencies, by some of our Southern sister States, then Missouri will follow their example.

Now, Mr. President, I have confidence in the wisdom and patriotism of the people of Virginia and Kentucky, yet I have as much confidence in the wisdom and patriotism of the people of Missouri as any people upon God's footstool, and that they are quite well calculated to determine for themselves all questions that affect their interest. I am unwilling to hinge the destinies of Missouri upon the action of any State. I am perfectly willing to act in common with the border slave States to devise some plan to adjust the difficulties that now distract the country.

Mr. President, I understand this amendment pledges Missouri, upon certain contingencies to take place by other States, that she will follow in their example, and in regard to this amendment I had just as soon vote for an ordinance of secession, to take effect when the States of Virginia and Kentucky shall secede, as to vote for this amendment. I desire that our hands shall not be tied in that manner, but left free to act when the emergency shall arise, and not act prospectively on great questions that affect our interest. I was called upon and voted for a resolution, a few minutes since, which declares that there is no adequate cause now existing to impel me to dissolve my connection with my Government, and now I am called upon to support this amendment, which, in my judgment, is an indirect attempt at secession, or, in other words, it pledges Missouri to secede upon certain contingencies that may result from the action of other States.

Mr. President, this is one of the attempted inroads of secession by the enemies of my country; with this view of the amendment, and, if I know anything of my own heart, I know that there is not one drop of secession blood flowing in my veins; therefore, with all pleasure imaginable to myself, and believing I am reflecting the will of my constituents, I vote no.

Mr. **Hendrick.** Mr. President, I wish very riefly to explain my reasons for casting my vote against this amendment. The amendments to the Constitution proposed by the Hon. John J. Crittenden, extending to territory hereafter to be acquired, I consider a fair basis of adjustment. And when presented for the consideration of the conservative men of the Northern States in term of becoming respect, without cringing or threatening, I believe they will meet a just response; and, in the language of the resolution, I feel very much inclined to believe they will successfully remove the causes of difference from the arena of national politics. I will, therefore, vote for the resolution as it is.

The amendment is objectionable because it declares that if such adjustment is not obtained, and the rest of the slave States withdraw from the Union, Missouri will withdraw also. The amendment fixes an ultimatum, and acknowledges the legal right of secession, which I cannot indorse.

When I was a candidate before the people I declared, in unequivocal language, that under all existing circumstances, I was *positively in favor* of the Union, and unconditionally opposed to secession, because I could not recognize any legal right in a State to secede The right of revolution I did not deny for adequate cause. For instance, if the General Government were to become so oppressive and unjust as to render the condition of a State intolerable, and no remedy in the Union could be had, the ends of its creation would be defeated, and the State would adopt revolutionary measures at the hazard of the pains and penalties of treason. There is no such cause existing or likely to exist.

Missouri came to be an integral part of the United States by treaty of purchase, which is the supreme law. And she came to be a sister State in this Confederacy by an act of Congress, which is also the supreme law of the land. When the people of Missouri Territory applied to be admitted into the Union, *they did so with their eyes open*; they saw and understood the Constitution, and consented to be governed by it. The Constitution was not a compact between the States imposing mutual conditions and restrictions to be reciprocally observed, and if violated by one State liable to be declared broken and at an end by the rest of the States, and the Union dissolved. But the provisions of the Constitution were law, possessing all the elements of law, with ample capacity for its own enforcement. An act passed by the Legislature conflicting with the Constitution is no breach of a compact, but it is in effect null and void, and is no cause for declaring the Constitution no longer binding upon the other States. Unconstitutional acts of the State Legislatures are no cause for severing the Union. The constitutional remedy is to declare them void. This we knew when when we accepted the Constitution and consented to submit to these provisions. Missouri is a sister State by virtue of the supreme law of the land, and no State ordinance of secession can abrogate it.

For these sentiments, I was elected and sent here. The amendment proposed looks to an event upon the happening of which she will secede. That event would be no cause for secession, and for that reason I vote no. Besides, the amendment is in the nature of a threat, unnecessary, and consequently would be repulsive to the Northern people, and tender inducements to the border States to secede, whereas we ought to offer them inducements to remain in the Union with us.

Mr. **Hudgins**. I shall vote for the amendment, because I believe that such a proposition is necessary to be connected with that resolution, in order to make it represent the sentiments of the people of the State of Missouri. I believe that, under existing circumstances, *nerve* is necessary. I believe that Missouri is respected by the other border States; that she must say that she will act with those States, and I hold that that resolution is what should be said by the State of Missouri. It is what I feel to be right myself, and I have nothing to withhold from the Convention, or that part of the State that I have the honor to represent here. That amendment fully accords with my feelings upon the subject, and my action in the future, and I have no hesitation in voting aye.

Mr. **Irwin**. I have taken no active part in the discussion which has been progressing upon this floor for the last few days. I have been rather a listener than a speaker. But, sir, it is a duty that I owe to myself, and to the people whom I represent, that I shall have a word or two to say in reference to the reasons which will actuate me in voting on this amendment.

In my county, sir, I was asked the question during the canvass, whether, in case the border slave States should dissolve their connection with the Union, I was in favor of Missouri taking her position in the South or in the North. I answered that I was a Union man, and that I was not for going either North or South. I was in favor of Missouri staying just where she is. I was in favor of her contending and battling for her rights in the Union, not out of it. I wanted Missouri to stand under the Constitution, and under the flag of my country—that flag which has waved so proudly over land and sea, under the folds of which we have enjoyed security, prosperity and peace. But, sir, I said further, that whenever that time arrived when Missouri should be compelled to take her stand either with the North or with the South, whenever separation *must* come, I was in favor of Missouri identifying herself with the South. I stand there today, sir, and I assume the same position here which I assumed before my constituents, which is, that I do not believe that Kentucky, Tennessee, North Carolina, and the other slave States, are ever going to leave this Union, unless it is for a reason that would justify revolution. Whenever the alternative is presented to Missouri, that she must either be degraded—as was remarked by the gentleman from St. Louis, *true* liberty knows no degradation—I say, whenever the alternative is presented that Missouri must either be degraded and trampled upon, or resort to the right of revolution, I shall advise her to take the latter course. But I do not believe that we shall ever be driven to this alternative. I have a firm and abiding faith that an amicable adjustment between the North and the South will be effected by the interposition of the border States. Upon that presumption, I said I was willing to risk the destiny of Missouri with that of the other border slave States; and I stand here to-day holding the same views, entertaining the same fervent hopes, with the flag of my country before me, and that bird, the emblem of my country's liberty, looking down upon this congregated body, as it were with anxious solicitude; and I say, with such surroundings, here in this great State, great in extent, great in the number of her population, great in her commercial and agricultural and industrial and educational interests; and, above all, as recent events have developed, great in the patriotism which burns in the hearts of her citizens—I say with all these surroundings, I cannot but hope that this Union may be preserved. I believe there is too much patriotism and too much conservatism in the border States, ever to suffer a government like this to be dissolved—a Government the very foundations of which are laid in the purest patriotism that ever ardorned the history of a nation—a Government the very stones of which are cemented with the blood and tears of patriots—a Government that has showered upon us innumerable blessings from the time of its foundation down to the present hour. But, notwithstanding I take this position, I can yet not vote for the amendment offered to the resolution, and my reason for it is this, I am opposed to Missouri, at the present time, saying to Virginia, Kentucky, Tennessee and North Carolina, to any or all of the border slave States, "If you will do this or if you will do that, we will do thus and so." I am opposed to saying any such thing, and that is just what the amendment amounts to. As I have already said, I am in favor of Missouri co-operating with the border slave States, in bringing about an amicable adjustment. I am in favor of Missouri responding to the call for a Convention, in which delegates from the various States may meet together—men without preconceived notions and dogmas, and with minds open to conviction. But I want the delegates from Missouri to go there untrammeled with reference to any course of policy. I want them to understand that Missouri will approve of the Crittenden Compromise, but yet that Missouri will accede to any other compromise or equitable plan of adjustment. Believing, then, that this amendment looks to an ultimatum, for with it a construction may be placed upon the resolution, to the effect that if the North will not accept the Crittenden proposition, we will not listen to any other, I shall vote no.

Mr. Moss. In the explanation of my vote, I shall say this, that I have been waiting for a week, and trying to get this Convention to assent to a proposition pledging Missouri to some action in the attempt to save this Union. I am willing, now, for Missouri to say what she will do to preserve this Union; but, sir, as for saying what Missouri shall do, when the Union is finally destroyed, and we are to have a government North, and one South, I have never fixed any policy in my mind for Missouri to pursue under such circumstances. As I remarked a few days ago, I look not beyond the Union for Missouri's fate. I do not undertake to work out any line of policy that she shall pursue when this Government is hopelessly destroyed. I therefore vote no.

Mr. Noell. The point involved in this amendment, was made during the canvass in the Twenty-sixth Senatorial District. I have the honor, in part, to represent that District, and I was asked what I would do in the event that all the other border States went out of the Union. I replied that I did not like to think of Missouri, or any other border State, going out of the Union at all—that I wanted her to stay in the Union: but that, if such a thing should unfortunately come to pass—if Virginia, Kentucky, Maryland, and the other Border States, *did* have to go out of the Union, I would be for standing by our sister border States; and believing that to be the sentiment of my constituents, although they are Union people and love the Union dearly, I shall vote aye.

Mr. Norton. I desire to claim the indulgence of the Convention whilst I explain in a few words the reasons which shall control my vote on the amendment now before the Convention. Looking to the act of the Legislature calling this body together, and this Convention, being restricted in the objects for its deliberations to the consideration of the present relations existing between the people of this State and the Federal Government, and the relations existing between the people of this State and the other States, our business here is to deal with our present relations to the Federal Government, and not with future relations, which may never exist. We have our hands full in taking care of the present. It is our object to inaugurate a policy in conjunction with the border slave States, which will bring about a fair, honorable and just adjustment of all present troubles, now and forever. This amendment contemplates that such an adjustment of these difficulties will not be made. I do not believe that such will be the result; on the contrary, whenever the Crittenden propositions are submitted to the people of the North free from the influence of the corrupt politicians and demagogues of the North, I believe that they will be adopted in every Northern State. Thus believing, I do not think that we should here anticipate an event, which, in my judgment, will never happen. When that event does come, and all the slaveholding States dissolve their connection with the Federal Government the course of Missouri is plain. Her sympathies, her feelings, ties of blood and kindred would cause her to stand side by side with Kentucky, Tennessee and Virginia. My individual feelings, sir, are with them, and whenever that dark day does come, Missouri, in my judgment, will do her whole duty, and take her stand by her sisters of the South. If that state of case were now upon us there would be no room for hesitancy. This, however, now sir, is not the case, and our mission here is with the present and not with the future. In the language of my friend from Ray, "Sufficient unto the day is the evil thereof." We should do nothing here to prevent a peaceful termination of present difficulties, and as the amendment proposed offers an olive branch in one hand and a war-club in the other, and has thus a tendency rather to retard than facilitate the object we all desire, I vote nay.

Mr. Woolfolk. I would not be understood, Sir, in voting against this amendment, to indorse its opposite. I should unhesitatingly vote against its opposite—that we would remain with the North if the other slave States abandoned the Union. I have no doubt, Sir, that if causes ever arise to drive the other border slave States from the Union, the same causes will influence Missouri to take her position with them. When causes arise to justify Kentucky, Maryland and Virginia in revolution, I expect to be a rebel myself. Missouri will never abandon the South when the South is right; she will never tamely permit the Northern Vandal to plant the heel of despotism upon her bosom. I shall vote against the amendment because it is premature, speculative, and unnecessary. It is also an ultimatum in disguise. But I shall vote against it more especially because its language is degrading to the sovereign people of Missouri. It does not pledge her to joint action with the other border slave States, but it commits her to an inferior position. It commits her to the position of saying she will not act up-her own discretion, she will not assert her own sovereignty, but will follow where the other border slave States shall lead, abandoning her right to an equal share in their councils.

We are here, sir, to represent the sovereign people of Missouri, not the people of any other State. We are here to say what causes will impel the State of Missouri to revolution, not what we will do if other States revolutionize. The border State of Missouri will act in concert with the other border slave States, but she should be too proud of her own sovereignty to blindly commit herself to follow the lead of any State that acts without consulting her. If this amendment were adopted, I see no reason for this Convention here to-day. I see no meaning in State-rights or State-sovereignty. I see no reason why we should meet the other slave States in Convention, if we pledge ourselves in advance to be governed by their action whatever that action may be.

Mr. Phillips. In the canvass, the question was repeatedly put to me: In the event that the Border States shall pursue a certain line of policy, whether or not I would be willing to pledge Missouri to co-operate with them. My answer was this: That I was in favor of Missouri co-operating with the border slave States for the purpose of adjusting our difficulties; that, if every energetic effort, and every patriotic sacrifice, if every christian prayer and burning tear should fail to save this Union, I was in favor, not as a remedy, but as a last resort, of Missouri casting her destiny with that of the border slave States, and that the border slave States should take that position where their interests and institutions would be best protected. Where that position would be, I did not pretend to say, nor can I now undertake to say as much. I was opposed to ultimatums, and my objection, sir, to this amendment is this: that it goes before the people of the North with a defined proposition—Mohammed like, with a sword in one hand and a koran in the other. It goes before the people of the North with a defined proposition in one hand, and in the other a cudgel, and saying if you don't take this, you shall have the benefit of that. I am opposed, sir, to anything of that sort. Besides, sir, the probability is that we shall be called upon to co-operate with Virginia and our sister border States in a Convention to be held at Frankfort. We are to meet there, for what? To ascertain what the wishes of the slave States are, what we want. And is it proper for Missouri, in supporting this amendment, to take an action that will forestall the action of the Convention at Frankfort. Is it proper for us to say, gentlemen, if you don't take what we want, we will have nothing else. Certainly not. We are to ascertain what they want and what we want; we should meet together with them, and agree upon some principle of adjustment, and not go there and offer to them an ultimatum. For that, if for no other reason, I should be opposed to the amendment. It will be time enough, after we have exhausted all other means for a settlement of these difficulties, to say what we will do. We have come here to bring about an amicable adjustment. We have not come here in a spirit of threat or menace or to drive the people into an adjustment. It is our duty to act in a spirit of compromise, forbearance and conciliation; and it is by that means, and by that means alone, that we can settle our difficulties if they can be settled at all. I vote no.

Mr. Redd. In order to explain the reasons why I shall vote for this amendment, it will be necessary for me to look at the connection between the resolution and the amendment. The resolution proposes the Crittenden proposition as the basis upon which the people of Missouri will be willing to adjust the present difficulties, and upon which the differences now existing would be removed from the arena of National politics. The amendment declares that in the event that the Northern States do not agree to such adjustment, and the other border States will leave the Union, Missouri will cast her destiny with the South.

I call the attention of the Convention particularly to the phraseology of the amendment, viz: "In case the North should not agree to such adjustment." What does that mean? Does it mean, as gentlemen seem to think, that if they refuse the Crittenden proposition, no other proposition can be entertained? No. We recommend the Crittenden proposition as a basis, that in our opinion will do a certain thing, namely, remove the cause of difference from the arena of National politics. Now, the amendment says, that "if they refuse to agree to such an adjustment," &c. What adjustment? Why, such an adjustment as will effect the results attached to the Crittenden propositions in the original resolution. "If they refuse to agree to any adjustment or settlement that *will remove* the causes of difference from the arena of National politics"—that is the language.

[Here Mr. **Redd** was interrupted by Mr. Phillips, who contended that, by the wording of the amendment and the resolution, the Crittenden proposition was offered as an ultimatum, and not as a proposition merely to be recommended.]

Mr. Redd. I do not agree with the gentleman in his construction of the amendment. I take the amendment to mean that, if the Northern States refuse to agree to such an adjustment as will have the effect referred to, and if, after such refusal, our sister slave States, that are yet with us in the Union, withdraw, then Missouri will take a firm and decided stand in favor of her Southern sisters. Surely, in that case, she can do nothing else consistently with her honor. She cannot remain with the Northern States after such refusal.

She cannot consent to submit to a government which is administered upon the dogmas of the anti-slavery party.

I do not object to the resolution, but I must say that its terms are not strong and explicit enough for me. It does not tell the whole truth. It does not say that when that contingency arrives Missouri will take her stand beside her sister slave States out of the Union. I am not afraid to commit Missouri to that policy. Let me warn the gentlemen of this Convention—if this Convention votes down that amendment what will the people say? The objection is urged, you make an ultimatum. That is not true. But I say that by voting it down you *do* make an ultimatum. And what is that? It is the enunciation that, under under all circumstances, in every contingency, you will sacrifice our institutions and constitutional rights to the North. It is saying to the anti-slavery party, we won't go out, though all the balance go. I am opposed to any such thing. I believe the border States should state an ultimatum. They should concede everything that can be conceded consistently with their honor, but after they have made that concession, they should present an ultimatum; and what would be the character of that ultimatum? Simply this, that the North should not violate the letter of the Constitution in the future.

Sir, after this Convention votes down that amendment, they will make secessionists by the hundreds, thousands, in the State of Missouri. That will be its effect. And because I am opposed to secession; until we can give the plan we may adopt for adjustment a fair trial, I will oppose everything that will tend to drive Missouri out of the Union. I have lately heard from my own county. The Inaugural of the President, and the course of this Convention in regard to it, have had their effect in that county. There is to-day flying from the summit of its temple of justice a flag, and upon that flag is a rattlesnake upon a white field, and below it is the motto: "Do not tread on me." Gentlemen, if you pledge Missouri to stand by the North, you will see those rattlesnake flags flying to the breeze all over the State. Yes, you will see them; and surrounded here, as I am, by an outside pressure of this great Republican party—while I am no secessionist, yet I am proud of old Marion for doing as she has done. She has shown that she deserves the name she bears. It is the name of the noble old warrior that stood up against oppression. When you undertake to attach Missouri to the Northern States, after all her sisters have been driven out, she will be in a condition like Prometheus chained to a rock, with the vulture of Abolitionism feeding upon her vitals.

Mr. SAWYER. I have hitherto occupied no portion of the time of this Convention, but I deem it a duty which I owe to myself and my constituents to say a few words in relation to the vote I am about to give. I represent, in part, on this floor, a district situated in the heart of the hemp growing region of this State —a district owning nearly one-eighth of the entire slave population of the State, and having an intense feeling upon the subject which now agitates the public mind, I cannot better explain the reasons for the vote which I am about to give, than by briefly stating the position I occupied in the canvass preceding the election. The grounds taken by me distinctly and unequivocally—for there was no dodging and there was no equivocation whatever in the positions which I laid down to that people—were, in the first place, that the difficulties which now agitate this country must be settled, or Missouri was inevitably ruined. I stated that I was willing to accept the Crittenden proposition as a basis of adjustment, or an equivalent to that proposition, which was as little, as I thought, Missouri should accept.

Now, sir, what does this amendment contemplate? The original resolution proposes distinctly, the adoption of the Crittenden proposition as a fair basis of settlement. To that, sir, I accede most heartily. The amendment simply proposes that in the event of a failure to settle this question, not upon the Crittenden basis, but upon the failure of an adjustment of these difficulties, and upon the further event that all the remaining slave States shall go out of the Union, then Missouri most unmistakeably will take her position with her Southern sisters. That, I understand, sir, to be the whole of it. If I understood that this amendment laid down the Crittenden proposition as an ultimatum, and that it precluded the *settlement of this question* upon any other basis equivalent to that, most assuredly, sir, I should vote against the amendment. But I understand this amendment merely proposes to express the opinion of Missouri, that in the event of no adjustment whatever of a satisfactory character, and that furthermore the remaining slave States shall leave this Union, then Missouri's interest is unquestionably with the South. Sir, I accede to that proposition most heartily; and I say I would be false to the pledges which I made, if I should fail, under the circumstances, to vote for the amendment. I therefore vote aye.

Mr. SHACKELFORD, of Howard. It is with shame and mortification that I see such an amendment as this offered in this Convention. I do not mean anything disparaging to the gentlemen who are supporting it. I am willing to concede to them the patriotism that is burning in my own heart. But, sir, have they looked at the consequences of the passage of that amendment? Have they considered it? Why, sir, the curse of our country—that which has brought us to our present deplorable condition—is the practice of designing politicians to look into the future and imagine evils and excite the apprehensions of the people, because such and such a thing may or may not happen. Has not that been the curse under which we have been laboring? Is not that what we have been contending against? Has not that brought us to this verge of ruin? And now, do not my friends consider—for I want to call them my friends and my brethren—the effect of this? They tell us they want to take this question outside of party politics. Yes, sir, take it from the arena of National politics; and where do they want to put it? Right at our own doors. Right at our own doors to excite our own people. Have the supporters of this amendment weighed the consequences of this? My friend from Marion says that the refusal to pass this amendment would make secessionists by thousands. He says that it is not his desire that such should be the case, but it will have that effect. Yet a fire-brand is introduced and advocated which is acknowledged to have an effect which is at the same time deprecated. Does he not see that the introduction of this amendment has for its only object, the continued agitation of the slavery question? Does he not see that instead of pacifying the public mind he will throw a fire-brand among the people to be taken up by petty politicians and designing men for the purpose of exciting our people to war among themselves? Why should we express such a sentiment as this, when we know that our constituents are faithful to the Union, faithful to the Constitution, and have integrity as men and citizens and will act with honor to the State when the exigency of the times calls upon them to act? I would respectfully submit to the Convention, as to whether the adoption of this amendment does not say to our border sister States, we will not now secede, but if you do so, we will follow. Is this right? Nay, I say is it a mark of bravery? Unity of action on this subject with the Border Slave States will alone produce harmony among our own citizens. You might as well introduce a resolution in this body that the people of Missouri are all honest men, and then tell us if we vote it down that it will make dishonest men by the thousand.

Mr. President, such a resolution as this is an insult to my constituents, because it puts into the hands of politicians and men who have not a particle of interest in the slave question, the power to excite an agitation among our people which will destroy our institutions.

Mr. President, I think it is far preferable that we should present these and similar propositions through our delegates in a Convention of the States. We can there get our ultimatums by the concurrent act of all of them. That is the best plan, and that is what my constituents told me in effect, while our sentiments and our feelings, and in my opinion our interests, called us, when the last hope of reconciliation shall perish, to unite our destiny with our Southern brethren, yet the grand, permanent object was the preservation of this glorious Union.

Was not that the position that you and I took before our respective constituencies? Was not that the position which you and I occupied before the people, when we told them that we were not for presenting any ultimatum, or any thing that squinted towards an ultimatum? But when the proper occasion should arrive, when we should meet face to face with men from the North, representing tho Northern people, then we would present an ultimatum, if necessary, if we could not get our rights so guaranteed as to take the question forever out of the hands of politicians. If then we can not have peace and harmony, we can provide for a peaceable separation. That, sir, is a sufficient reason why I shall vote against this amendment, and all such amendments; and I have no fear of the result. Such a course does not sacrifice my honor, but I can preserve the peace and harmony of my own people by it.

Mr. Sheeley. I desire to say a few words. When I consented to become a candidate for this Convention, I stated I would take the Crittenden Compromise as the basis of settlement, though I preferred the propositions of Mr. Douglas, and prefer them here to-day. But I was willing to take them as a basis, and would co-operate with the border States, in using every honorable means for an adjustment on that basis so long as there was a reasonable hope to save this Union. The question was propounded to me, suppose that everything fails, what will you then do? I said the destiny of Missouri was South, and she was bound to go there. Now, sir, this is is not, as I understand it, an ultimatum at all. It merely declares that when all these things take place, when the State finds that the Union is dissolved, and all the States go out, that then—our destiny is with the South. That is the way I look at it; and so, too, I pledged myself to the people of my District. I must either vote aye or violate that pledge, and I think you know me too well to think that I ever violate a pledge. I will vote aye on this amendment.

Mr. Smith, of Linn. I ask the indulgence of the Convention for a few moments, while I state my reasons for voting against this amendment. It has been attempted to cast imputations upon men who vote against this amendment, viz:—that by their votes they will declare to the Northern and Southern people, that we intend to keep Missouri in the Union with the Northern people under any and all circumstances. The position which I took before my constituents, was about this: I declared myself to be a Union man; that in my judgment no sufficient cause existed that would justify Missouri for seceding from the Federal Government, and I pledged myself not to vote for an ordinance of secession at this time. I further pledged myself to use every exertion in my power to bring about conciliation, and a fair and amicable adjustment of the difficuties existing between the extremes of this Government. I do not believe, sir, that I can, consistently with that pledge, vote for the amendment. I believe it would operate as a firebrand among the people, and will have a tendency to diminish, if not destroy, the influence of Missouri.

I object to the amendment for another reason: I do not believe that Missouri can determine for twelve months, or perhaps two years, whether she ought to go anywhere, and I am unwilling to say what the people of Missouri will do two or three years hence. I am unwilling to act upon anything, sir, except the present. I am unwilling to pledge Missouri to any course in the future. I believe the people of Missouri will be just as competent twelve months hence, or five years hence, to determine their interest and their duty, as they are to-day. And, sir, for this reason I feel it my duty to vote against the amendment.

I regretted to hear certain remarks from the gentleman from Marion, Mr. Redd, while giving the reasons for his vote. I regretted to hear him complain of the active outside pressure that has been working upon him since he has been in this Convention. As for myself, I have met with no such pressure. I have not felt any pressure from the Republicans—from Abolitionists or Secessionists. Why it is that they have pressed or disturbed the gentleman from Marion I do not know. The reason why I was not disturbed is, I suppose, that people regard me as a man of some intelligence and determination—a man who would carry out the promise that he made to his constituents. This is the reason, I suppose, that I have not felt this outside pressure of which the gentleman complains. I regretted to hear another remark—he threatened us with that big rattlesnake. Now, sir, I can inform the gentleman from Marion that rattlesnakes have but little terror to Missourians, especially up in the Northwest. When I first settled in that portion of the State, rattlesnakes were a great deal thicker than Secessionists are now, and we have killed them all out, nearly. [Laughter.] Secessionists, too, are getting to be about as scarce as the rattlesnakes. But I tell that gentleman that in my judgment, the snake of which he speaks, has come out a little too soon in the season, for this latitude, and the frost and ice will overtake him, and he will be killed. [Laughter.]

Mr. President, as I have no desire to place myself on the record, and feeling perfectly satisfied that the intelligence of my constituents will enable them to determine the reasons that prompt me for every vote I shall give here, I shall detain the Convention no longer, but vote no.

Mr. Welch. My vote upon this amendment is governed entirely by its phraseology. The sentiment which I presume the gentleman from Montgomery desired to incorporate in it, is one which would meet my approbation, if put in a different shape and expressed by different phraseology. I differ with the gentleman in the construction of this amendment, and I must be governed by my own judgment in regard to the matter. The original resolution, if I understand it, sir, pledges this Convention, and the people of the State, to be satisfied with the Crittenden compromise. The amendment, in my judgment, declares that, unless the North will yield us that particular proposition, and unless the Border States shall stay in the Union, Missouri will go out also.

Now, sir, while I heartily approve of the Crittenden propositions, I also indorse fully as well the propositions known as the Douglas propositions, and I am willing to take the Border States propositions, and would be satisfied with the propositions of the Peace Congress. In the words of Mr. Botts, of Virginia, if the North and the South will only agree upon some basis of settlement, I will agree and never ask what it is. I am willing, I say, that either of these propositions shall be adopted, so far as I am concerned, and while I indorse the motive and the purpose which the gentleman from Montgomery had in offering the amendment, I cannot support it when it is connected with the original resolution. I say to him now, that, if he will introduce a separate resolution, disconnected with that original one which makes the Crittenden compromise the basis of settlement, and declaring that when all compromise shall fail, and all the Border States shall leave this Confederacy, Missouri will go too, I will vote for a proposition of that kind very cheerfully. But, sir, I cannot vote for this amendment, because by its phraseology it makes the settlement of our difficulties dependent on the adoption of the Crittenden compromise. I am willing to take any compromise which will be satisfactory to Border States or the South. The Committee on Federal Relations have submitted a proposition calling for a Border States' Convention. That is the proper tribunal to establish an ultimatum. I construe this amendment as an ultimatum, and as pledging Missouri to abandon the Union if the Crittenden propositions are not adopted, together with the additional fact that the remaining Border States shall leave. I shall therefore vote *no*.

Mr. Calhoun. By the special permission of this body, although I have already voted, I will in a very few words state the reasons which prompted me in giving that vote. I voted *aye* on the amendment because I did not look upon it as an ultimatum. So far as I could understand from its wordings the Crittenden Compromise or some other similar proposition was recommended by it as a basis of adjustment, and as I am in favor of the Crittenden Compromise, and the people whom I have the honor to represent on this floor, are in favor of that compromise, I felt quite warranted in voting for it. I will state that if this amendment is to be regarded in the light of an ultimatum, I disapprove of it, and in that case I should ask the favor of this body to change my vote. I am for the Crittenden Compromise or any other compromise which will prove satisfactory to the slaveholding States. I would not stake the weal of Missouri on the adoption of that particular compromise.

As for the other feature in the amendment, namely, that in case all the slave States should go out of the Union, and there should be a Northern and a Southern confederacy, Missouri will go with the South, I must say that I agree to it. If that calamity must come, (and God grant that it never will come!) I am in favor of Missouri casting her destiny with the South. But I fervently hope we shall be able to effect a peaceable settlement, and that this Union will continue. I believe it is in our power to bring about such a settlement, and I shall never think of leaving this Union so long as there is any hope for it. Sir, I would have been willing to vote for the report, just as it came from the committee, for it is a report breathing the true Union sentiment. But, supposing that there was nothing in the amendment which conflicted with the spirit of that report, I voted *aye*. I shall ask leave to change my vote, if it is to be looked upon as an ultimatum.

Mr. **Henderson**. I was not in when the roll was being called. I desire to record my vote upon this proposition, and especially do I desire to do it, inasmuch as there will be most assuredly a difference between myself and my colleagues in regard to it. Since I have heard the remarks of my friend, Judge Calhoun, I am satisfied that he has been laboring under an error in regard to the amendment. I was laboring under an error myself until I went and got the amendment, and in order that I may be corrected, and that other gentlemen who seem to labor under the same misapprehension as myself, may see the true meaning of the amendment, I propose to read both the resolution and the amendment.

[Here Mr. Henderson read the resolution and amendment.]

Now, I call the especial attention of my colleagues to the monstrous proposition contained in this amendment. If we adopt it, it evidently commits us in a way which may prove extremely pernicious to the interests of Missouri. What was the position which we took in the canvass for this Convention? Did we say to the people, or in any way imply by what we said, that in case a certain compromise should be refused, Missouri ought to secede? Why, sir, I stated distinctly, and my colleagues know that I did, that if the Crittenden proposition, or the Border States proposition, or the Douglas proposition, or the proposition of the Peace Conference failed as a compromise, that we would yet not secede. But, sir, we are pledged to secession here—if there is any meaning in the English language—provided this one solitary proposition is voted down. I will admit that the further proposition is attached to it, that in case the other border States shall secede, we will secede also. Now sir, so far as I am concerned, I distinctly took the ground that if every Southern State in the Union should secede, Missouri then would have a proud mission to perform, and that would be to assemble together delegates from every State in this Union once more in Independence Hall, where the Federal Constitution was made, and that we would enter into the confederacy with such States, North and South, as would meet us there, and once more cement the bonds of this Union.

I desire now to ask the gentleman who offered the amendment if he believes in the constitutional right of a State to secede? I pause for a reply.

Mr. **Bast**. The gentleman entirely misapprehends the scope of my amendment. It has nothing to do with the constitutional right of secession at all. It simply states that, in case we should be unable to effect a satisfactory adjustment of existing difficulties, and all the slave States should go out of the Union, Missouri will go with them. I should like to see the Missourian who, in case the alternative is presented of a Northern or a Southern Confederacy, will not be in favor of Missouri casting her destiny with the South.

Mr. **Henderson**. The gentleman does not answer my question. I ask him again if he believes in the constitutional right of a State to secede?

Mr. **Bast**. I have already stated that that question is not involved in my amendment at all; when it comes up in its proper connection, I will willingly state my position in regard to it.

Mr. **Henderson**. As the gentleman does not choose to answer this question directly, I will put to him another. Did he vote for the first resolution of the Committee on Federal Relations, adopted by the Convention?

Mr. **Bast**. No.

Mr. **Henderson**. Then, Mr. President, the gentleman having voted against the first resolution, he negatives the proposition that no sufficient cause now exists for Missouri to dissolve her connection with the Federal Government. If that be true, the gentleman sees cause to-day for dissolving this Union. He does not desire to wait, and, sir, this ultimatum (for it is an ultimatum) proposed in this amendment only looks forward at the early period when the people of this proud State shall be driven headlong into revolution. Sir, with my views, believing that no State has the constitutional right *peaceably* to secede from the Federal Government—(I am not disposed to deny the revolutionary right)—I do not see that that right could be conferred upon us, provided even that the Old Dominion should secede. I do not see that, with a proper loyalty to the Federal Constitution, we could secede merely because Maryland, or Tennessee, or Kentucky, or any other State, had seceded. Sir, there is a better remedy proposed than that, namely, by amending our Constitution, as it now exists. Let those amendments be offered, and, sir, the patriotic people of the United States will not deny justice to any portion of our country. If the laws are defective let them be amended. And, sir, the past history of the country affords us the greatest assurance for the future that such laws will ever be provided as accord justice and equality to every portion of the country. I know why such propositions as this are offered for a remedy. They enable designing men to appeal to the prejudice of the people. They afford them an opportunity to tell the people that this or that man, who has voted against them, is a Freesoiler or an Abolitionist; and they are calculated to give full play in the State to petty demagogues and designing politicians. Sir, contemptible pettifoggers and miserable politicians seem now to have seized the reins of government, and all men who look to peaceable reforms—all men who look to a restoration of that tranquillity and happiness that have blessed us for so many years, and without which we should be powerless, are being denounced as Republicans and Northern partisans.

Mr. President, I, for one, defy all their efforts, and all their wiles, and all their schemes and insinuations. I have made up my mind that this is the best government upon earth, and that he who would attempt to tear down the columns that sustain it, or mar its fair proportions in any way, is a traitor, and nothing else. When I say this, I wish it understood that when my rights as an American citizen are denied me, and oppression becomes the rule of conduct by the Government, I claim the right of revolution. But I do not claim that any man is justifiable, under any of the grievances of the present day, in tearing down the fair proportions of this magnificent republic. Every means are being resorted to, in these days of wild misrule and error, as the gentleman from St. Louis, the other day, rightly remarked, to present propositions appealing to the Southern heart. I remember that a good many years ago, at Hartford, an ultimatum was presented by the gentlemen who assembled there in Convention. They offered amendments to the Federal Constitution, and they declared the right of a State to secede. They furthermore declared that if their rights were not secured according to their proposed amendments, they would dissolve their connection with the Federal Government and erect New England into an independent confederacy. What has become of those traitors and conspirators? Where now are they, Mr. President? Sir, the finger of scorn was pointed at them, and they have gone down the stream of time, an object of contempt and hatred by an honest people. So, also, at a subsequent period in our history, another similar attempt was made, and it was visited with the same scorn by an indignant people. And now, sir, upon this occasion, whatever may be the *lip* service of men, if their actions are tending to the disruption of this Union, I hope and trust that the same scorn may overtake them as traitors.

Sir, the other day a secession flag was hung out in one of the streets of this city. On the opposite side of the street was an American flag, with the names of Lincoln and Hamlin inscribed upon it. Does it follow that, because I despise that secession flag, I should owe allegiance to the Republican party, who had hung out the other flag? Or does it follow that, because I do not approve the election of Lincoln and Hamlin to the supreme offices of the Government, I must needs become a secessionist? Surely not. So long as those two flags were suspended in the street, although a great many people crowded around the houses from which they were suspended, and the excitement among them ran high, still I had no part in the controversy. But when I saw the American stars and stripes hoisted without any names upon it, I heard a shout rise from the assembled multitude which made my heart proud. I felt, sir, that a device that might be put upon the flag of my country, and the piratical flag of disunion, were both to be thrown aside, and in their stead was to be the flag of my country.

Sir, a paper has been established in this city that is to be a part and parcel of the disunion scheme. Conceived in iniquity, brought forth in fraud, having been the result of a *combination* so mean and contemptible that it deserves the execration of honest men, it yet comes forward upon the world, and undertakes to denounce men for being patriots. It may be that in the future, it will find good men enough on whom to vent its spleen, its malice and vituperation; yet, I can say that, notwithstanding the corruptions that surround its birth—notwithstanding the malice and vituperative energy with which it may be conducted, still the Union sentiments of Missouri will prevail, and secession, in less than six months from to-day, will not be claimed by any man who desires to have a respectable position among her citizens. I vote no on this amendment.

Mr. Zimmerman gave a brief explanation of his vote. He was a Union-loving man, and represented a Union-loving constituency. He wanted all means for an amicable adjustment to be exhausted, and felt sanguine that, with the proverbial patriotism of the American people, such an adjustment could be effected satisfactorily to all parties. He was heartily in favor of the majority report, and approved of its conciliatory spirit. He had voted aye on the amendment because he held that it was not in conflict with the spirit of the report. He could not concur in the opinion of some gentlemen, that the amendment was an ultimatum. If he had thought so he would not have voted for it.

Mr. Calhoun desired permission to change his vote from aye to no.

Mr. Ritchey. Mr. President, as I have occupied but little of the time of this Convention since we organized, I desire at this time to give some reasons for the vote that I am now about to give. Sir, on the 18th of last month, at the ballot box throughout the district which I in part represent here, at least three-fifths of the voters in that district, instructed me to vote against this amendment. The reason why I say that I was instructed to vote against it is this: I hold in my hand a circular containing a speech delivered by me at a mass meeting, held at our county seat just two weeks before the election, in which speech I gave my views and the policy that I was in favor of; and at the same meeting a series of resolutions were adopted, which I indorsed and had printed in this circular. Having sent these circulars to all parts of the district, and having besides visited the counties in my district, my constituents knew my policy. And I will ask the indulgence of this House till I can read a paragraph from this speech. In speaking of the duties of this Convention, I stated as follows:

"Then what are the duties of our State Convention? They will be many; too numerous to name here. But one is, to cling to the Union, so long as there is a ray of hope that we will get our Constitutional rights under the Federal Government—to do what they can to bring about a National Convention and a reconciliation between the different sections. Let Missouri, with the other border States, both slave and free, stand as a mediator between the offended and the offending States, and if we, as a double row of States, reaching from the Atlantic to the Pacific, will stand firm to our post, and tire not in our exertions, we may yet be the humble instruments, in God's hand, of saving this nation from ruin."

And now I will read from the resolutions. The eighth resolution is as follows:

"That holding views we are not prepared to abandon the Union, with all its blessings, while any hope of adjustment remains. Until then we will maintain our place in the Union, and contend for and demand our equal and constitutional rights, and will not be content with less."

Now, Mr. President, I am opposed to saying to the General Government, "You shall do this, or you shall do that." I am opposed to Missouri saying to the border States, "If you will do this or that, we will do so too." There is a point where forbearance ceases to be a virtue; but let Missouri reserve to herself the right to say when and where that point is. I wish to say, while I am up, Mr. President, that the people whom I in part represent here, feel that they are citizens of these United States, that they are loyal to the Government in which they live, and wish this Government to be perpetuated, and all the difficulties to be adjusted.

We know that we have received many blessings from this Government; and we have hopes and believe these difficulties can all be settled through and by a National Convention. And while I say this, I wish to say further, that we are not submissionists. No sir, we are far from it, and we expect our rights in amendments to the Constitution. Then I feel fully authorized by the position I took before my constituents, to vote against this amendment and support all the resolutions reported by the Committee on Federal Relations, or at least the first, second, third, fourth, and fifth. The sixth and seventh I have some objections to, though they only have reference to adjourning and electing a Committee whose duty it will be to call the convention together at such time and place as they may think fit. With these remarks, sir, I vote no.

The vote thereupon stood as follows:

Ayes—Bartlett, Bast, Brown, Cayce, Chenault, Collier, Comingo, Crawford, Frayser, Hatcher, Hill, Hough, Howell, Hudgins, Matson, Noell, Redd, Sawyer, Sheeley, Waller, Watkins, Zimmerman, and Mr. President.

Noes—Allen, Bass, Birch, Bogy, Breckinridge, Broadhead, Bridge, Bush, Calhoun, Doniphan, Donnell, Douglass, Drake, Dunn, Eitzen, Flood, Foster, Gamble, Gantt, Givens, Gorin, Gravelly, Hall of Buchanan, Hall of Randolph, Henderson, Hendricks, Hitchcock, Holmes, Holt, How, Irwin, Isbell, Jackson, Jamison, Johnson, Kidd, Leeper, Linton, Long, Marmaduke, Marvin, Maupin, McClurg, McCormack, McDowell, McFerran, Meyer, Morrow, Moss, Norton, Orr, Phillips, Pomeroy, Rankin, Ray, Ritchey, Rowland, Sayre, Scott, Shackelford of Howard, Shackelford of St. Louis, Smith of Linn, Smith of St. Louis, Tindall, Turner, Welch, Woodson, Woolfolk, Wright, Vanbuskirk.

ABSENT.—Messrs. Harbin, Ross, Stewart, and Wilson.

SICK.—Messrs. Knott and Pipkin.

Amendment declared rejected.

Mr. HALL moved the previous question.

Mr. BRECKINRIDGE moved to adjourn, as a great many members were absent. Carried.

Convention thereupon adjourned.

SEVENTEENTH DAY.

ST. LOUIS, March 20th, 1861.

Met at 10 o'clock, A. M.

Mr. President in the chair.

Prayer by the Chaplain.

Journal read and approved.

Mr. REDD. I asked the gentleman who made the motion for the previous question last evening, to withdraw it, in order that I may offer an amendment which I think will meet the views of the Convention.

The CHAIR. The question will be, shall the main question be now put.

A division was called for.

Mr. SMITH. I do not understand, Mr. President, what effect the previous question will have.

The CHAIR. It will bring the third resolution to an immediate vote.

Mr. REDD. I call for the ayes and noes on the question.

The CHAIR. It is too late, as the question has been put, and the question called for.

The previous question was sustained; ayes 51, noes 22.

The ayes and noes were then called on the adoption of the resolution.

EXPLANATION OF VOTES.

Mr. BRECKINRIDGE. I wish to say a few words which perhaps may not be strictly in explanation of my vote.

The CHAIR. Leave will be granted if no objection is made.

Mr. BRECKINRIDGE. Last evening when the proposition was made to order the previous question, it may be remembered that I opposed the motion—I had it in my mind then, to ask the indulgence of the Convention, to permit me to make a few remarks, touching not only this particular resolution but the whole scope of the resolutions before us. I find, however, there is a desire to vote on the proposition, and I don't desire to delay the action of the Convention by speaking at any length; but I wish to say a word or two in reference to this proposition. In the resolutions which I had the honor to submit some days ago to the Convention, and which under the rules were referred to the Committee on Federal Relations, I attempted to cover the ground that this Convention should, in my judgment, take in its utterances in regard to the difficulties now pending throughout the country—difficulties which should be in some way adjusted for the purpose of restoring harmony and peace. In those resolutions, Mr. President, I scrupulously avoided—and for a purpose which I thought wise—indicating as my own preference, or calling upon the Convention to indicate as its preference, the adoption of any particular proposition now pending before the country. I did this mainly for these reasons: First, that I know throughout this wide country there is a great difference of opinion in regard to these propositions, and considering these varieties of opinion held by good and patriotic men, I think it will be a matter of great difficulty to unite the country upon any particular proposition as propounded by any particular person; and secondly, for the reason that I have learned by the course of events during the last few months, to dread as I do the very pestilence, secession itself, the schemes of those who, under all possible disguises, seek to aggravate existing troubles; and I have discovered also that whenever a proposition is put to the Southern people, if that proposition in letter, substance and form is not immediately granted; if there is a refusal to grant it in the precise form in which some person thinks it ought to be granted, such a refusal is immediately made the subject of a new crusade in behalf of the outrages on Southern rights, by those who seek to prevent all compromise.—I have noticed that and I dread it, and I desire by my action and by the action of this Convention, and by the action of the State of Missouri, which has now so nobly proclaimed herself loyal to the Union, the Constitution and the laws to the very core of her great heart, to avoid every thing which can afford new pretext for complaint.

Mr. REDD. I call the gentleman to order.

The CHAIR. State your point of order.

Mr. REDD. I understand he arose to explain his vote.

The CHAIR. The gentleman asked leave to make a speech, for the reason that he did not intend to confine himself strictly to his vote. I put the question and the House granted him leave.

Mr. REDD. I did not so understand it. If debate is to be had I desire to be in a position where it can be answered.

The CHAIR. When the gentleman's name is called, he can ask leave likewise.

Mr. BRECKINRIDGE. I trust, sir, if anything falls from my lips which the gentleman from Marion desires to answer, he will have full liberty to make a speech in reply. But I desire to speak only with reference to the reasons why I thought it most desirable to avoid stating in any proposition the preference of this Convention for any particular form of adjustment. I have already said I took this ground, first, that it was almost impossible now to hope that the great body of the people in any section could be brought to adopt with unanimity any one proposition, and second, that the indorsement of any particular proposition, or modification of any particular proposition, would, if it should afterwards be modified or changed in any respect, afford a pretext to those who seek to produce trouble to say that the exact thing which we desired has not been granted, and we will not rest satisfied until exactly what we wish is granted. My idea, sir, in regard to this matter, which I attempted to present in the resolutions I submitted, was this: that touching this slavery question as applied to the Territories—which is really the only *seriously disputed* question pending, and which, when settled, will really settle the whole controversy—that the people should seek an *adjustment of the present difficulties upon* some principle, which has as a basis and which recognizes, simply this: That the people of the North should abandon any purpose to use the power of the General Government, as it might be committed to their hands, to repress or extinguish slavery; and that answering to this relinquishment on the part of the people of the North, the people of the South should avow their purpose solemnly and fairly to abandon every effort to use the power of the General Government, as it might be committed to them, to perpetuate or extend slavery. I believe this is the true basis, and that it covers the entire case; and I believe that that principle, whenever the Northern people are willing to accept it—as I believe they now are—that that principle applied to public affairs will settle every difficulty.

Now, sir, with all deference to the Committee on Federal Relations, every member of which I know, and every member of which I respect—with all due deference to their superior age, wisdom and experience, I think it would have been better if they had adopted this plan rather than the one which they have adopted. At the same time I recognize this fact, and with pleasure, that in framing this particular resolution, they have, with most scrupulous care, as I think appears from the framing of the resolution, carefully excluded from the the resolution, everything which in any manner might be construed as an ultimatum. In that, sir, I approve and applaud the action of the Committee. It is intended by them, if the Convention shall adopt it, as I do not doubt it will, that it shall go simply, as an announcement to the people of all sections of the country, that the State of Missouri desires this whole difficulty amicably and justly settled; and while it is not wedded to any particular proposition, yet, it is the belief of those who represent the people here, that this particular proposition, if adopted, will be successful in producing the result so much desired. So far, I approve it; for I say here, that I may be distinctly understood, that so far as the proposition of the Honorable Senator from Kentucky is concerned, I have no objection to it, and I can add further, that either one of the four or five other propositions pending before the last Congress, would, if adopted, in my judgment, give peace to the country; the Crittenden proposition—the Douglas proposition—the Corwin-Adams proposition, or the Peace Conference proposition—any one of them, in my judgment, fairly applied and properly adopted, will settle this whole controversy. But, I am not wedded to any particular proposition. And, sir, now I come to the point upon which I wish particularly to say a word. It will be remembered—and it is known throughout the country—that this grand old Senator from Kentucky, standing up as a statesman among politicians, as a real patriot among pigmies, did not include in his original proposition that clause which applies to the future acquisition of territory. He was too wise a man for that. I have no doubt, while I do not pretend to understand the secret workings of this thing, that he put this clause in, as an addition to his original proposition, only at the importunate request of some Southern friends; and while I have no desire or right to speak of the motives of men, except in so far as they are made manifest through their acts—yet I say now, it is my conviction that, whatever may have been the motives of those who have sought to make this provision concerning future territorial acquisitions he *sine qua non* of any settlement, if they persist in it they are enemies to Missouri, to the Union, and to the public peace; and deserve, as I believe they will be, to be crushed out and put down. Why, sir, our territory is large enough already—so large that we cannot manage it—so large that we cannot people it; and the territory already devoted to slavery is so large that for perhaps one hundred years, at the same rate of progress we have been making, we will not have more than enough slaves to till and cultivate it. But, with all these facts staring us in the face, there are gentlemen who seek to make it an absolute condition of the settlement of this question: that we shall make no agreement without fixing the policy of the country as to territory which we have not yet acquired. I trust, at least during my life, that we shall have no more territory. If we had acquired none during the last twenty or thirty years, we should have had none of these troubles; and the sooner the public mind understands and rests upon the conviction that we already have sufficiently extended the area of freedom, the better it will be for the peace of the country. I believe it to be bad statesmanship to attempt to legislate finally now, concerning territories we do not own and may never acquire. While I, of course, do not pretend to apply what I have said in reference to the motive which induces the advocacy of this amendment to the Committee on Federal Relations, any more than to the noble old Senator from Kentucky, whom I love and honor as much as man can, I still say that those who adhere to the proposition that a settlement of the question must be to include the status of territory hereafter to be acquired, are doing what they can to destroy the country and its peace. That is all I wish to say now on that subject. But in order that I may not be misunderstood, I say further, that I expect to vote for the resolution. I desire to do all I can to make the Convention, as nearly as possible, a unit on this as on all questions.—I am willing to waive my judgment whenever I can do so without violating my self-respect or sense of duty. But I say, if it was here intended to say that the Crittenden proposition, including its application to future acquisitions, was to be a test whether Missouri would remain true to the Union, I would scorn it, sir,—I would do my utmost to defeat it. But as I understand it as a recommendation of the people of Missouri that, in their judgment, this proposition, if adopted, would be final, the simple announcement to the country that if the people of Missouri are willing, if the country is willing, to accept it as a basis of adjustment, with that understanding and the explanation of my views I have already given, I shall vote for the resolution.

Mr. Bridge. I do not look upon this as an ultimatum. I am not against compromise—either the Douglas, Crittenden, or the various other propositions, meet my approbation. The only thing in the Crittenden proposition which I cannot indorse is that in regard to acquiring territory. If that was stricken out, I should have no objection to it. With this statement, I desire to say that I shall vote for the resolution.

Mr. Hitchcock. Mr. President, I desire to say a few words in explanation of my vote upon the question now before the Convention. I am the more impelled to do so in view of the construction which I learn has been placed by some gentlemen upon some remarks which I made a few days since before this body, with reference to the majority report of the Committee on Federal Relations and the resolutions accompanying the same.

I beg leave, sir, to call the attention of the Convention to the words which I did in fact use on that occasion. I then spoke of the Report *as a whole*, and stated that, regarding it as a "Union Report," presenting no *ultimatum* and containing no threat, I was in favor of it as a whole: but that there were some passages in the Report, and some of the resolutions, to which I objected; and that I should express my sentiment by my vote.

Permit me, sir, very briefly to state the reasons for which I am unable to vote for this resolution. I have very carefully examined it, upon its own merits, and without reference to any party views. I find that by this resolution I am called upon to express the belief that the adoption of what is known as the "Crittenden Compromise," with the extension of the same to the territory hereafter to be acquired by treaty or otherwise, would successfully remove the causes of difference forever from the arena of national politics. Upon the most careful consideration, and while I am most anxious that the action of this Convention should as far as possible be unanimous, I am unable to express that belief.

I object in the first place to the clause relating to the Territory hereafter to be acquired. Briefly, I look upon it as a direct encouragement to "filibustering." It can have no other effect than to stimulate the efforts of those who are already disposed by unlawful and unfriendly means to seek the acquisition of territory from neighboring powers, in the interest of the extension of slavery.

But even without that clause, I am unable to see that this proposition—I refer to that part of it which relates to the slavery question in the territories—is a wise or practicable basis of adjustment. I do not consider it, sir, as being in any proper sense a *compromise*. What are the facts? We know that many of the people of this country do not desire the extension of slavery. They hold the opinion, upon honest conviction, that it is not for the future good of the territories that the institution of slavery should be established there. And also believing that the entire control, and therefore the entire responsibility, in respect to the affairs and the institutions of the territories, while they remain in the territorial condition, rests under the Constitution with the National Legislature, they consider that whenever it is necessary to exercise the power in question, it should and rightfully may be exercised in accordance with that opinion. That is their real and fixed conviction. On the other hand, another large portion of the people believe,—and I doubt not with equally honest conviction—that that institution ought to be established in the territories. Some of them believe that the Constitution gives the slaveholder the right to carry his slaves into the territories and hold them there: others, without reference to the constitutional question, consider that this right should be acknowledged as a matter of fair and equitable division.

Now, without reference to the correctness or otherwise of either of these views, the point I make is that a proposition which in effect requires either the one party or the other to surrender their convictions,—to act in direct opposition to their principles—is not a compromise. The persons respectively holding these opposite views, are, so to speak, at a dead-lock. Is it a compromise to say to either—you must surrender your convictions?

I am very far from opposing a compromise. I desire only that it be really a compromise—one which shall require from neither party a sacrifice of principle, and which by removing the subject matter from the arena of controversy shall bring about an adjustment honorable to both. Such an adjustment, sir, in my opinion, has already been proposed. The proposition to enable the inhabitants of New Mexico—the only territory in dispute, and in which slavery is now in fact recognized by law—to form a State Constitution, with or without slavery, as to them shall seem fit, appears to me to be a practical compromise such as I have indicated. I regret, sir, if any plan was to be indicated by this Convention, that it was not one of that description, or on some such basis. But, as the question now comes up, I find myself called upon to express a direct opinion as to the merits of this particular plan, and my opinion is against it.

I might give other reasons why it does not seem to me desirable or expedient for the Convention to adopt this resolution, some of which have been indicated in the remarks of my friend and colleague, (Mr. Breckinridge;) but having frankly stated my objection to the plan in question, on its merits, I will not further trespass on the indulgence of the Convention. I vote no.

Mr. **Meyer**. Understanding that the Crittenden proposition, as used in this resolution, is no ultimatum, and not so intended by the Committee on Federal Relations, I shall vote for the resolution.

Mr. **Broadhead**. Mr. President, I will, by leave of the Convention, briefly give the reasons why I shall vote against this resolution. The committee has recommended the call of a National Convention, to make such adjustment of existing difficulties as may be found necessary for the peace of the country and the preservation of the Union. I deem it therefore unwise to tie the hands of our delegates to that Convention, by suggesting any proposition of adjustment, leaving them free to act as surrounding circumstances may dictate. This is my first objection; but if we are to make a suggestion, and propose a plan of adjustment, then I think we ought to suggest something better than the Crittenden proposition—I mean that portion of his plan which refers to the Territories—for to the other portions of it I make no objection. I think the Douglas proposition better—the Corwin-Adams proposition better, and the Franklin substitute far better. The last named proposition, I see by the dispatches this morning, has been recommended by the Committee on Federal Relations of the Virginia Convention, and it is altogether likely that if anything is done that this will be the proposition finally adopted. I think the Crittenden proposition the least likely of all to be adopted. Were I a member of the proposed National Convention, I am not prepared to say what I would do, but I would support almost any proposition which might be deemed necessary to bring peace to the country and preserve the integrity of the Union. But I deem it the best policy, and when I say policy I mean the best policy in reference to the settlement of these questions of difference, to leave our delegates untrammelled as to their future action.

The resolution was adopted. Ayes 88, nays 4.

Mr. **Gamble**. The next resolution that comes up, I have redrawn, with the consent of the committee, using, however, the language of the resolution chiefly as reported by the committee, and only making such alterations as seem to meet the views of the various gentlemen in the Convention, and especially the gentlemen who proposed the original resolution in the committee. In offering the resolution, I will also call the previous question.

The resolution was then read by the Secretary, as follows:

Resolved, That the people of Missouri believe that the peace and quiet of the country will be promoted by a Convention to pass amendments to the Constitution of the United States, and this Convention, therefore, urges the Legislature of this State, and of other States, to take proper steps for calling such Convention in pursuance of the fifth article of the Constitution, and to provide by law for the election by the people of such number of delegates as are to be sent to such Convention.

The motion for the previous question was sustained.

Mr. **Redd**. I do not understand parliamentary rules, and I do not understand what the main question is.

The **Chair**. It is on the adoption of the substitute; whether that shall be put in place of the original.

Mr. **Doniphan**. Does the adoption of the substitute make it equivalent to the adoption of the whole thing?

The **Chair**. I think so, sir.

The amendment was then concurred to.

Mr. **Hatcher**. Is it in order to move an amendment?

Mr. **Welch**. It strikes me that, if an amendment is agreed to, it is not then subject to amendment. That, I think, is the course of the Legislature.

Mr. **Hudgins**. I understand that the original resolution would have been subject to an amendment, and that this takes the place of it, and is subject to amendment.

Mr. Hall, of Buchanan. The previous question is still in operation, as I understand it, and, as a matter of course, no amendment can be in order.

Mr. Redd. I understand the previous question was called as to whether this should be substituted. I see gentlemen are desirous of cutting off all amendments and excluding debate. We do not want any debate on our side, but we would like the privilege of offering such amendments as meet our views.

The Chair. My impression is, the previous question having been sustained, it will refer to each proposition in its regular order, and continue up to the adoption of the original resolution.

Mr. Hough. Does this cut off all debate from the resolution?

The Chair. Yes, sir.

Mr. Hough. I am somewhat anxious to be heard on the fourth resolution, but it would not be in order now, I suppose, to offer any remarks upon the subject.

The Chair. The previous question cuts off all debate and amendments until the whole question is disposed of.

The roll was then called.

EXPLANATIONS OF VOTES.

Mr. Redd. I am opposed to this resolution. It provides for a National Convention; that Convention can be called only on the application of two-thirds of the States. Congress considers the seceded States as yet in the Union. Upon that basis it would require the action of twenty-three States before Congress could call such a convention. Many of the Legislatures of the free States are committed on the record against all compromise or concession. They would not, therefore, unite in the call; and if Congress should change the basis and admit that the seceded States are out of the Union, then it would require but eighteen States to unite in the call, and a National Convention could be had; but in that case Virginia and Maryland, and probably North Carolina, would refuse to go into such a Convention, and secede in that event, which I consider certain, there would be but five slave States to nineteen free States. The anti-slavery party, for the first time in its history, would have the power, under the Constitution, not only to propose an amendment that would abolish slavery in the States, but the power under the Constitution to ratify it. This proposition, a National Convention, is the only proposition that party has yet deigned to make, while it has persistently rejected all propositions made by the Slave States. I consider this proposition, coming from the Republican party under present circumstances, will prove a slaughter pen for slave institutions. I therefore vote no.

Mr. Sayre. It is understood, sir, that another proposition is to be presented, by which we shall call for a conference, or consultation, or convention, of the slave States still remaining in the Union. It is understood, I believe, by all of us, that this convention is to take place and is to sit previous and preliminary to the General Convention of the whole States. I believe that we would have the courage, if necessary, in the same way as we find we possess it now, to take steps for resisting all use of illegal power or the illegal use of power. If we shall be brought into this slaughter pen I believe we shall have the strength and courage to initiate all proper steps for resistance. If there is to be a settlement, sir, it is to be done only, I think, by some united action of the people of all the States. Our Constitution has provided two modes for entering upon that action, and this is one of them. It is proper, it seems to me, that the resolution should be adopted, and particularly as we contemplate, and as it is understood by all of us, that there is another resolution, which, although not embraced in this series, yet is printed—that there is another resolution that will give us consultation with our sisters that remain true to the Union. I therefore vote aye.

Mr. Howell. I desire to make a brief explanation. I am a Union man, sir. I came here to contribute all within my power to the preservation of the Union upon terms of equality to the States and to the people of the respective States. I believe that in order to the preservation of this Union an adjustment is absolutely necessary. This Union cannot be preserved without an adjustment of the questions between the respective parties of the Confederacy. There are but three ways that I am apprised of, of bringing about an adjustment. One of these means is by a National Convention as prescribed by the Constitution; the other is by amendments proposed by the Congress of the United States to the States, which will become a part of the Constitution when ratified by three-fourths of the States; and the other is by a convention of the remaining slave States, usually called border States, in conjunction with the border free States. This, looking to any final action, would be a revolutionary measure, and outside of the Constitution. It would be tantamount, sir, to throwing off a portion of the North, and leaving out a portion of the South. Now, sir, I am in favor of that project, not as a revolutionary project, but as an auxiliary to the proposition contained in the resolution that we have just been called to vote upon. I am in favor of a Border State Convention to call the attention of the Northern people to the great necessity of action in adopting amendments to the Constitution of the United States, in order to preserve the Union, and I can see no inconsistency whatever in these two propositions being adopted by this Convention and placed before the country. Now, sir, the project contained in the resolution, is the only one I know of by which we can appeal to the great Northern heart. I am for making that appeal before surrendering the Union with all its blessings. I am for giving that million and a quarter of lion-hearted Democrats, Whigs and Americans, one more opportunity of righting themselves before the country and in the face of the civilized world. I believe, sir, that when that appeal is made—and a border State Convention will be the proper means of presenting that appeal—that the response will come back echoing over hills and valleys to the remotest portion of our possession, giving us all we can desire. These are the manifestations I see around me at this period. This, sir, is the handwriting upon the wall, and before I am disposed to take final action upon this thing, as I remarked before, I am disposed to give the North and the South, as well as the centre of the country and every portion of the country an opportunity to be heard at the ballot box. I want to make that appeal to the people of the North, sir. If we expect the salvation of this Union it will proceed from the people—we have nothing to expect from the politicians in power now. The present politicians are inefficient for any good, and therefore I am for going behind them, and that, too, in conformity with law and under the forms of the Constitution, to the great source of all power, the people themselves.

The vote was then announced, and the resolution was adopted—ayes 85, noes 9.

The following are the gentlemen who voted in the negative:

Messrs. Brown, Chenault, Doniphan, Hatcher, Hough, Hill, Hudgins, Redd and Watkins.

Mr. Donnell then offered the following as an amendment to the fifth resolution:

"In view of the existing state of affairs, in order to avoid and more effectually prevent a conflict with the seceding States, which would forever close the door to compromise, we believe it to be the duty of the Executive to withdraw all Government troops from their borders, and abstain from the collection of the revenue, thereby depriving them of any plea for bringing on a hostile engagement with a view of engaging the sympathy and co-operation of the remaining slave States."

Mr. Donnell. In offering this I do not do so because I object to the original proposition. I most cordially indorse the original resolution, and I believe this to be in perfect harmony and consistent with it. I believe it to be a peace offering. I am satisfied that the most important thing for us to demand now is time. Time will answer for us when everything else fails. It must be conceded by all that the few troops remaining in the seceded States are perfectly useless for good. They can accomplish nothing for the Confederated Government. Connected with the position taken by President Lincoln, that he will not only possess, but that he will hold the forts, it must be apparent that to do this it will be necessary to add an additional force, which would bring on a conflict that would result in great and serious injury. But by withdrawing the troops this conflict might be averted. The sympathies of the Border States of the South are such that they are not prepared, whether right or wrong, to consent that the General Government shall, under existing circumstances, resort to force in any manner whatever. Therefore, I submit this resolution, believing that, if sustained, a conflict may be avoided.

Mr. Hough. Yesterday, sir, I offered an amendment on this very subject. That amendment was laid on the table in order to be printed. I wish to inquire whether that amendment does not have precedence to the one offered this morning. It is on the same subject, although not in the same language.

Mr. Donnell. I hope the gentleman will accept this as a substitute.

Mr. Hough. To save all difficulty, I am willing to accept the amendment of the gentleman as a substitute for the proposition I presented.

Mr. Donnell. I now offer it as an amendment to the fifth resolution.

Mr. Hall of Buchanan. I would like to offer a substitute for this amendment:

"That this Convention is not sufficiently informed as to the facts concerning the forts of the United States in the limits of the seceded States as to be able to give an opinion in reference to the best course of the Federal Government touching them; but this Convention earnestly hope that such action will be taken by the authority of the United States as to avoid all hostile action between the seceded States and the General Government."

Now, I do not conceive that we are sufficiently acquainted with all the facts touching the collection of the revenue and the forts, as to well enable us to give an opinion as to the course we should pursue in reference to these forts. Let us conceive that we have two thousand troops in the State of Texas. These troops are there to protect the people from the Comanche and other Indians. Now, I am not prepared to say that it would be wise or just for the Government of the United States, under present circumstances, to withdraw the troops from Texas, and thus invite the Indians to attack our friends in that State. I am not prepared to say that such a course would be wise, just or humane. I am not prepared to say that such a course would promote the welfare of this country. On the contrary, if we should withdraw those troops and invite the savages to slaughter the people, I think such conduct would be unfriendly on the part of the Government of the United States. How is it in regard to the forts in the Gulf of Mexico. I see a majority of a committee in the Convention of Virginia, sixteen out of twenty-one members have declared that it was proper for the Federal Government to hold those forts in the Gulf of Mexico, and necessary for the protection of our commerce. I know not how that may be. I am not prepared to express an opinion upon it, but surely if the United States do hold forts in the Gulf which can be held without offense to the people of Florida, and which may be necessary for the protection of our commerce, I do think it would be improper, under those circumstances, for the Federal Government to give them up. In reference to the other forts, it might be well to abandon them. We know the President is about to abandon Fort Sumter, and I think will abandon Fort Pickens. I must say that I trust he will pursue such a course in reference to the forts and the revenue as will avoid all hostile collision. Sir, this question of revenue is one I am not at present able to express my opinion on in a very decided manner. We know, sir, that the tariff established by the Cotton States is much lower than the tariff established by the Government of the United States. Now if any amicable arrangement cannot be made, with reference to this tariff, will not every gentleman perceive that the revenue of the General Government will be gradually destroyed by our imports coming to Southern ports and in that way coming into the present territories of the United States. I am not able to say what the best course is. I am not sufficiently informed, and in my ignorance I am not willing to undertake to instruct the President of the United States how he shall administer the Government, but I am willing to say he ought to administer the Government so as to avoid all hostile collision between the Federal and Confederate governments.

Mr. Hough. In my opinion the amendment is merely tautology. It is the same thing as is incorporated in the amendment offered by the gentleman from Buchanan, (Mr. Donnell.) I regard it as a fixed fact, that if the troops are not withdrawn from the forts in the seceded States, that war will result. I had rather every fort in the United States were sunk into the ocean, and every man-of-war sunk into the depths of the ocean, than civil war should prevail in this country. Now, the Government has built forts in South Carolina, Florida, and all around the gulf coast, for the protection of Southern people and the protection of commerce.

The people of the South have formed an independent government. They think they are able to maintain that government, and when they notify our Government that they have formed a government, and demand the forts, if their demand is not granted, they will consider it a degradation to allow a foreign power—as they regard the United States—to keep troops in those forts; and the consequence will be, Southern troops will take those forts and civil war will result. Who does not know that a large number of persons in the border States would fight for their kindred in a conflict of that kind, and that the country would be involved in civil war. Any person who knows anything about the Southern courage, gallantry and chivalry that exists among the people in the slaveholding States of the Southern Republic, know that the whole country will be involved in civil war.

I think it is the duty of the President of the United States to execute the laws if he can do so with a view of preserving our institutions. If he has to execute the laws to destroy the institutions of our country, that it is not the object of law; and if the laws cannot be executed without destroying institutions which they were intended to preserve, then the President ought not to execute them. It is the duty of the people of Missouri to say to the President that if the troops are not withdrawn, civil war will result. They ought to state it as a fact, that he may be advised of the grounds on which he is administering this Government; and request him to withdraw the troops.

These are my views on the proposition, and I therefore move to reject the substitute offered by the gentleman from Buchanan, (Mr. Hall.)

Mr. Moss. I hope the amendment offered by the gentleman from Buchanan will pass. When any proposition is made that looks to the preservation of the Union, and whenever Missouri is called upon to give an expression of opinion in regard to any policy that will have a tendency to build up that Union, I am for it.

I wish to say a few words concerning the amendment offered by my friend from Buchanan, (Mr. Donnell.)

Mr. President, when the news was brought to us, a few days ago, by telegraph, that the President had given orders that the troops should be withdrawn from Fort Sumter, how did it affect the people of Missouri? We all rejoiced and felt like shouting for joy. And why? Because we looked upon it as the harbinger of peace. And this would be the sentiment throughout the South with every man who loves the Union, and who hopes for a peaceable adjustment of our difficulties. And I say here to the Union men of this Convention, that if President Lincoln—that if the telegram that reached this city had been true, and he *had* withdrawn the troops from Fort Sumter, secessionism would have died; it would have been the most fatal blow to the enemies of the Union that could have been dealt. And now, when Missouri is called upon to say what policy should be recommended in relation to these forts, I, for one, feel it my duty, and in harmony with the policy I have advocated in this Convention, to give my support to this amendment. I believe this is a peace measure. The objections offered by my friend from Buchanan (Mr. Hall) do not strike me with force. He says, in some of these seceded States the people will be left unprotected. Sir, they have worked out their own destiny; they have taken the responsibility of raising the secession flag; they have withdrawn themselves from the protection of this Government, and now I am in favor of letting them feel the force of that thing, and I think it will have a good effect on them. I think it an attempt to awaken in their minds some reflections whereby they can be made to feel the disadvantages of secession. I believe it will have a good effect upon them. I can see no objection, so far as my judgment goes in this matter, to the resolution offered by the gentleman from Buchanan. Whenever any member of the Convention proposes a measure that looks to the building up of this Union, I am with him. I voted yesterday against the proposition which embodied my feelings. I felt, in the language of that resolution, that whenever the last hope was extinguished I would go with the South; but I doubt the policy of stating that position now in this Convention, because I do not want to say to the leaders of secession in the South, "Gentlemen, when you force us to that alternative, then we will go with you." If every border State took such a position as that Fort Sumter would be attacked before to-morrow night, if the intelligence could reach the leaders of secession in the South. The only reason I voted against the resolution offered by Mr. Bast yesterday—notwithstanding my sympathies are with the South, and in that bitter alternative I expect to give my voice for Missouri going there—was that I doubted it as a question of policy.

But this proposition looks not to secession, and I contend that if President Lincoln should carry out that policy, it would be the death blow of secession in the Border States, and in the South. He would be understood then to be for peace, and the bitterness of feeling that now exists against him would be removed. Looking upon it, sir, as a great Union movement, I shall give my approbation to the measure, and I hope that Mr. Hall's amendment will be voted down, and that the amendment of my friend from Buchanan (Mr. Donnell,) will be adopted.

Mr. **Shackelford** of Howard. If it is in order I wish to offer an amendment:

"And it is the opinion of this Convention that the cherished desire to preserve the country, and restore fraternal feelings would be promoted by the withdrawal of the Federal troops from such parts of the seceded States where there is danger of a collision between the Federal and State forces."

Mr. **Redd.** Mr. President, I prefer the amendment. Preferring the amendment to the substitute, I wish to offer some reasons for the vote I shall cast. It is admitted that a hostile collision between the General Government and the forces of the seceded States would not only dissolve the Union, but destroy all hope of its reconstruction. The President in his Inaugural disclaims any intention of invading the Southern States for the purposes of subjugation, but he distinctly states that he will hold and possess the forts and other property of the United States within their limits, and will collect the revenue, and this course is made to depend on one contingency only, that the necessary means (men and money) are *furnished*. The Custom Houses and most of the forts are now in the possession of the Southern Confederacy, and that Confederacy is fully prepared to defend their possession at the cannon's mouth. Mr. Lincoln says he will, if the means are furnished, hold, possess and occupy the places and property belonging to the General Government. It is an old saying, that catching is before hanging; in this instance taking comes before holding or possessing. The Southern Confederacy has an army of fifty thousand men ready to march at an hour's warning. An attempt to take any of the custom-houses or forts now in its possession would involve a conflict between that army and the forces of the General Government. That would be war, and in the language of the resolution to which this is an amendment, would "entirely extinguish all hope of an amicable settlement," and as it might further have said, would not only dissolve the Union, but destroy all hope of its reconstruction. This amendment requests the Administration to refrain from any attempt to collect the revenue in the seceded States, and to withdraw the troops in those States. It looks to the preservation of the Union by recommending a course of policy *that would prevent a hostile conflict*. While I do not boast of my loyalty to the Union on all occasions, as some gentlemen are in the habit of doing, you will find my vote recorded for every measure tending to its preservation. Mr. Lincoln, following in the footsteps of his predecessor, has committed a fatal mistake in taking the position that the seceded States are yet in the Union; and while occupying that position, I do not blame him for avowing his determination to hold, possess and occupy the forts, arsenals and custom houses, and to collect the revenue, for it is his sworn duty to take care of the Government property, and execute the laws everywhere within the Union. Coercion is the logical sequence of the proposition that those States are yet in the Union. He is to blame for taking a false position. Whether those States had a constitutional right to withdraw from the Union or not, is one question, and whether they have withdrawn or not is another and totally different question. Whether they had the right to withdraw or not is a legal question, about which jurists and statesmen may and do differ. Whether they have withdrawn or not is a question of fact, about which I do not see any room for two opinions. What are the facts: they have, by separate State action, severed their connection with the Union; they have formed a Confederacy of their own, and adopted a Constitution of their own; by that Constitution they have created a Federal Government unknown to our Constitution; that Government is in full operation, exercising all the powers of sovereignty, and prepared to defend its claim to sovereignty against all who may question its right by force of arms. Why then are they not out of the Union? The answer is that they had no constitutional right to go out. Admit for the sake of the argument that the Constitution expressly denies the right of a State to withdraw from the Union. It does not follow that they are yet in the Union unles you are prepared to assert that a State cannot do wrong—cannot do an act that violates the Constitution; an assertion that I presume no gentleman on this floor is prepared to make. They have withdrawn, whether they had the right to do so or not, and having withdrawn they are no longer a part of the Union, but are within the limits of a foreign government; and had Mr. Lincoln acknowledged the fact, it would have avoided all danger of collision—he would have had no more right to attempt to enforce the laws or collect the revenue within their limits than within the limits of Mexico or the island of Cuba. I prefer the amendment to the substitute, because the amendment requests the Administration to refrain from the attempt to collect the revenue. The substitute does not go to that extent. I shall therefore vote against the substitute and for the amendment.

Mr. **Wright.** This I consider a matter of importance. That it would be wise policy in the present administration to withdraw the forces from any fort, when only a point of honor is involved, is too clear for debate. It ought to be done instantly and without hesitation. A great Government like ours can afford to dispose of questions of honor with magnanimity. But the point of honor is not the only question we must attempt to solve here as statesmen. The forts on the peninsula of Florida are military positions—constituting the key to the Gulf of Mexico.—Now, let us look at a possible contingency in the future: Suppose we meet our Northern brethren in a National Convention, and they make an adjustment perfectly satisfactory to us, and one which will keep Missouri and the border slave States in the Union as a band of brothers, and that our Southern brethren shall not for a time be satisfied. What are we to do? If we are satisfied and remain in the Union because our Northern brethren have met us and made an adjustment satisfactory to us, we have put ourselves in a condition to lose the command of the great Gulf of Mexico and the mouth of this tributary, which would be essential to us in that Union, in case these forts are given up. Are we prepared to do that? Is my friend from Marion, (Mr. Redd,) so tropical in his tendency that while there could be a reunion satisfactory to him; after all the difficulties which we claim, have been satisfactorially adjusted; is he so tropical in his tendencies as to be willing to surrender the key of the Gulf of Mexico into the hands of another government? I trust, sir, I have said enough to show that the matter involved is important and requires consideration. My friend from Marion is very logical. He talks about the truth of this subject just as a mathematician would. I know that in the pale of the sciences we can never move a step without logic, and that every advance in science must be a logical advance—a step by logic, or it is not a step forward at all. I know that in the range of the exact sciences we can push logic to the utmost verge of thought, and this is so because the exact sciences live by logic. But is that true in government, and is that especially true in the American Government? Government is the most practical of all things, and we drop all logical sequences at the start, in the very instrument which makes it. Any statesman who thinks he can reach any practical result by following a logical sequence will soon discover his logic will carry him against something infinitely more important than his logic. I wish, without going further into the subject now, to make a motion to lay these proceedings on the table, in order that they may be printed and taken up to-morrow morning. I will, however, withdraw the motion, in order that any gentleman, if he so desires, may further discuss the matter.

Mr. **Dunn.** I see no necessity for any delay in acting upon the amendment offered by the gentleman from Buchanan, (Mr. Donnell,) and the substitute and amendment. If questions of this character are to delay the proceedings of the Convention from day to day, I can see no prospect of terminating our labors during the present week. I am as well prepared to vote now, on each of these propositions, as I shall be to-morrow morning. I do not suppose that any one expects that any new phase will be thrown upon the question between now and to-morrow morning. If the motion prevails it will cause delay, and I am therefore opposed to the motion and in favor of immediate action upon the questions that have been raised upon these amendments. I am in favor of the amendment offered by the gentleman from

Buchanan, (Mr. Donnell,) and I am utterly opposed to the substitute offered by the other gentleman from Buchanan, (Mr. Hall.) I concur in the sentiments so well expressed by my friend from Clay, (Mr. Moss.) All true friends of the Union—and I claim to be one of that number—are exerting themselves to the utmost to bring about an amicable adjustment of all our troubles. The gentleman from St. Louis, (Mr. Wright,) remarked, truly, in his speech a few days ago, that there must be an adjustment of our troubles, and that it must be such an adjustment as would secure our constitutional rights; and that, without an adjustment by which our rights would be secured, there would be no hope of preserving the Union. We must have an adjustment. All true friends of the Union are laboring to bring about an adjustment; and it is this, as I remarked the other day, which constitutes a man a true friend of the Union. I have no sort of faith in the profession of a man's devotion to the Union who folds his arms and proposes to do nothing for the Union. I know some gentlemen claim to be friends of the Union, who make no efforts to save it from destruction. I claim to be a better friend of the Union than any man who occupies such a position; and I claim that the only means of saving the Union is to bring about an amicable adjustment, and I claim, in behalf of myself and those who act with me, that we are *truly* friends of this Union. But, as has been stated by others, this requires time. We cannot expect that a matter of this magnitude will be adjusted in a day, or a year. It requires time. Time is what we want, and I am confident that if time is allowed, these matters will be adjusted in a manner that will secure our rights. But all hope of adjustment will be lost by the inauguration of civil war. Hence the true friends of the Union keep in view the policy of preserving the peace of the country, as a matter of vital importance, while they work for such an amicable adjustment as will secure to us our constitutional rights. It is a matter then of the first importance and prime necessity that the peace of the country should be preserved long enough to give us an opportunity to adjust our national troubles. The amendment offered by the gentleman from Buchanan (Mr. Donnell) looks to the preservation of peace. It looks to the removal of the only things likely to endanger the peace of the country, and which, if not removed, may result in civil war. You know with what apprehension we have looked at a possible collision at some of the Government forts. The amendment, if adopted, will remove all apprehension in regard to a collision between the Government of the United States and the Government of the seceding States. Hence we ought to raise our voice in reference to the removal of the cause of collision. The voice of Missouri should go up in favor of this proposition, which I regard as a peace measure. We ought to advise the Government to withdraw the troops from the seceded States. The gentleman from Buchanan (Mr. Hall) is opposed to the withdrawal of the troops of the Government from the seceding States lest the Camanche—

Mr. Hall, I did not say I was opposed to it, but I said I was not sufficiently acquainted with the facts to advise Mr. Lincoln in regard to it.

Mr. Dunn. Well, I have a higher opinion of the gentleman's ability and information than he seems to entertain himself. Years ago I voted for the gentleman for Congress. I was one of the many thousand who voted for him again and again, and sent him to Congress as often as he was a candidate.

The Chair. The gentleman is certainly out of order. He is not debating the question at all.

Mr. Dunn. I will come to the point, then. The gentleman (Mr. Hall) was disclaiming that he took any position in regard to the withdrawal of these troops. I understood the gentleman to be opposed to the resolution because he did not know but that the Camanche Indians might slaughter the Texans. Now I am sure, Mr. President, that every member of this Convention ought to be willing to pursue such a course as to avoid civil war, which would drench the whole country in blood; and I do not think any gentleman ought to be willing to vote down this peace proposition under the vague apprehension that the Camanche Indians might make an attack upon the inhabitants of Texas. The inhabitants of Texas have in times past been able to protect themselves from the Camanche Indians, and I doubt not they will do it now; and I doubt not also that if they are unable to protect themselves, the people will rally to their rescue with as much promptness as has been heretofore exhibited. I doubt not all will go to the rescue whenever they are in peril. Then let us not vote down this peace measure upon any vague apprehension of this sort. I cannot understand why we shall hesitate to abandon at once these forts; I cannot understand why the keeping of the government troops, or such of them as are there, should be insisted upon. It may be that some gentlemen want to get a large army into the seceded States, under one pretext or another, and after getting it there, use it to coerce the Southern people. I cannot countenance any such plan. If the seceding States are to be coerced into subjection, let us do it boldly, and like men. I am utterly opposed to coercion in any form, whether under the pretext of holding the government forts, or under the other pretext of collecting the revenue. But, my friend from Buchanan, (Mr. Hall,) if I understand him correctly, he contends that we ought not to withdraw the troops of the Federal Government; that we ought to hold the key to the gulf. Upon that, I have this to say: first, seven States have withdrawn from the Union; second, those States have organized a government of their own, and are, in point of fact, a separate government; although under the Constitution, it is still claimed that they are part and parcel of the United States. This necessarily results from our denial of the constitutional right of secession. Unless they had the constitutional right to secede—which we deny—they are yet, in contemplation of the Constitution, part and parcel of the United States; although in point of fact they are a separate and distinct government. We must deal with the facts as they are. Is it compatible with the honor and dignity of the Government of the United States, to resort to the collection of revenue in any other government? Is it compatible with the position which the Government of the United States occupies at home and abroad, to resort to the collection of revenue elsewhere than in her own limits? I speak now in reference to the government of the Confederated States, and I put this question to the gentleman from Buchanan; and I hope I shall not be considered out of order when I say that he is one of the best lawyers in the State. Suppose a gentleman comes to Mr. Hall with his title papers, and says: "Mr Hall, "I have a piece of land, and here is the evidence "of my title; but a man has taken possession of "it and claims it as his; he has occupied it, "cultivated and raised a crop on it; now, Mr. "Hall, I want you to tell me what remedy there "is for me." After Mr. Hall has examined the title papers, and pronounced the title good—for I assume that the title is good—I desire to ask him what his advice, as a lawyer, would be? Would he advise his client to take his wagon and team and servants, and go upon the premises and take a part of the crop in the field, or the fruit in the orchard, and haul them off the premises? Would he advise this as a lawyer? If he would, I should change my opinion of him as a lawyer very suddenly. But I know he would not give any such advice; but his advice would be, to bring a suit of ejectment, and in that way recover possession of the land. Now I say, all this thing of holding the Government forts and collecting the revenue of the States that have seceded, collecting a little at Charleston, a little at Mobile and a little at New Orleans—in view of the facts of the case as they now stand, those States having a separate government of their own—I say all this would be analagous to the petty annoyances to which Mr. Hall would subject the adverse party, by advising his client to go with his team and haul a part of the fruit and crops from the premises which he owns, but which are occupied by another party. It is utterly unbecoming a great Government like ours to resort to any such annoyance. There is another objection: for however we might consider it, yet the holding of the forts or retaking the Government forts in any of the seceding States, or collecting the revenue—though we might call it enforcing the law or what we please, the government of the seceded States would call it an act of war, and would treat it accordingly. Every man who knows the facts of the case, knows that the government over which Jefferson Davis presides would treat all these things as acts of war, and, of course, the same consequences would grow out of it, as would grow out of war actually declared on our part. So the case is reduced to this simple question, whether we shall organize an army for the purpose of conquering the seceding States, or whether we shall withdraw the troops from the forts of the seceded States and wait until this matter can be amicably adjusted. It is reduced to the question, whether we shall make war for the purpose of subjugating and conquering them. I am opposed to it, and especially to doing it in a covert manner. If it must be done at all, either one way or another; if we must bring on a war, let us do it avowedly and not covertly. I am not aware that history informs us that the British government, when our forefathers first revolted, took any such position as this—that they would send troops here to hold the forts; but they took a bolder position; they came here with the avowed purpose of making a war. Between the two I prefer an open and manly policy, rather than one which seeks to do a thing covertly. I say we must look at this matter in its true light. The British, I know, were utterly unjustifiable, as every man descended from revolutionary stock must say, in regard to the course they pursued towards our forefathers, and especially do we condemn them for employing foreign mercenaries and Indians to assist them; but they did not seek to cover up their purpose by a pretext. They came openly and avowedly; and if it is to be the policy of the United States to reconquer the seceded States, let us show as much manliness and magnanimity as our mother country exhibited toward our fathers in the Revolution. Let us not send an army into the seceded States under a pretext. I do not believe in that system of preserving the Union. I agree with every word Major Wright said in condemnation of this force policy. It is subversive of every principle on which our government rests, and would result in the overthrow of our liberty, and blast the hopes of freemen throughout the world. I look towards an adjustment of our difficulties in an amicable way; let us meet as brothers, and adjust our difficulties and secure our rights under the Constitution, and thus by securing their rights and ours we may hope to win back our seceded sisters. If ever we get them back it must be in this way. We can never get them back by coercion. Concurring, therefore, fully in the amendment offered by Mr. Donnell, I shall give it my cordial support.

I have another objection to the substitute offered by my friend from Buchanan, (Mr. Hall,) and it is this: It avoids the expression of any opinion, and takes the ground that we are not sufficiently advised to give an opinion. The President of the United States in his Inaugural Address has invited an expression of opinion, as shown by the gentleman from Platte, (Mr. Norton,) the other day; and it is proper we should give an expression of opinion whether we should hold on to the Government forts in the seceded States. I am not disposed to take the position that we are not sufficiently informed in relation to the facts to offer any opinion. I think we are informed, and it must be apparent to every member of the Convention, who will reflect, that it would be our true policy to withdraw the Government troops from the seceded States, to abstain from the collection of the revenue, and help to preserve the peace of the country, with the hope of a final adjustment of our difficulties upon a basis that will secure to us our constitutional rights—trusting not only that we shall save the Union from overthrow and destruction, but that the movement will result in bringing back into the Union the States that have withdrawn.

As the gentleman from St. Louis made the motion to lay the amendment upon the table in order that it might be printed and made a special order, and then withdrew it, I now renew it, if he insists upon it.

Mr. Hall, of Buchanan, moved the previous question, but withdrew at the suggestion of Mr. Wilson, in order to enable Mr. Shackelford to renew his amendment.

Mr. Shackelford, thereupon, renewed his amendment.

Mr. Hall then renewed his call for the previous question, which was sustained by the following vote:

Ayes—Messrs. Allen, Bartlett, Bass, Birch, Bogy, Breckinridge, Broadhead, Bridge, Brown, Bush, Calhoun, Cayce, Chenault, Collier, Comingo, Doniphan, Donnell, Douglass, Drake, Dunn, Eitzen, Frayser, Flood, Foster, Gantt, Givens, Gorin, Hall of Buchanan, Hall of Randolph, Harbin, Hatcher Henderson, Hendricks, Hitchcock, Holmes, Holt, How, Howell, Irwin, Isbell, Jackson, Jamison, Kidd, Leeper, Long, Marmaduke, Marvin, Matson, Maupin, McClurg, McCormack, McDowell, McFerran, Meyer, Morrow, Moss, Noell, Orr, Phillips, Rankin, Ray, Ritchey, Rowland, Scott, Shackelford of Howard, Shackelford of St. Louis, Sheeley, Smith of Linn, Smith of St. Louis, Tindall, Waller, Watkins, Wilson, Woodson, Woolfolk, Vanbuskirk, Zimmerman and Mr. President—78.

Nays—Messrs. Crawford, Gamble, Gravelly, Hill, Hough, Hudgins, Knott, Norton, Pomeroy, Redd, Ross, Sawyer, Turner and Welch—14.

The question next occurring on the adoption of Mr. Shackelford's substitute to the amendment, the following gentlemen rose to explain their votes:

Mr. Allen. Mr. President, I shall vote no on this question. As I stated the other day in my little speech, this fifth resolution reported by the Committee on Federal Relations seems to me to express all that is intended by the amendments and substitutes offered by gentlemen on this floor. It seems to me that the language in this resolution is definite enough; and having taken a position for the series of resolutions as they come from the committee, I shall vote against all amendments and substitutes that may be offered.

Mr. Long. Mr. President: Called to vote upon this question, I desire to say, in explanation of that vote, that whilst I have no serious objection to the abstract principle involved in the amendment, I can discover no existing necessity for its adoption. Without entering into a lengthy discussion on the merits or demerits of the amendment, I will only say that its adoption *may* have a deleterious effect upon the original resolutions. And whilst I would have preferred a slight alteration in the wording of some of the resolutions, I was satisfied of the impropriety of demanding it. And as I could not forego my honest convictions of right to favor the individual wishes of other gentlemen, I could not ask the sacrifice of their opinions to suit mine. This feeling, sir, more than any other, has prompted me to vote against all amendments that have been yet offered. Sir, if this were the only amendment to be offered, it would, perhaps, effect no great harm; but amend this resolution now to suit a few members—to-morrow other alterations would be suggested—the next day, still others; and, sir, is not the ruinous result, in such event, perceptible to all Union men on this floor. And further, sir, when this series of resolutions shall have passed through a multiplicity of amendments, alterations, erasures and interlineations, to meet the views of the ninety and nine different minds in this body, I fear the majority report will have been reduced from its lofty character as a great state paper, full of truths, wisdom and intelligence, to a heterogeneous mass of pretended facts, imaginary grievances and bombastic threats to remedy ghost-like evils.

The Committee on Federal Relations is composed of wise and able men—men of large and liberal views—patriotic and *Union-loving* gentlemen. And, by the way, they were judiciously and impartially selected by our able presiding officer. And now, sir, having implicit confidence in their fidelity to the Union, their watchful care of the *honor* and *future welfare* of my *native* State, I feel that I am reflecting the will of my constituents by endorsing the action of their united counsels, and to carry out this settled plan of my own, I shall vote against all amendments calculated to clog the passage of the majority report, including the original resolutions. I vote no.

Mr. Orr. In explanation of my vote, I will say that I heartily indorse the fifth resolution, which implores the Federal Government to use no hostile force for the purpose of collecting the revenue. But I am unwilling to say that it shall not do it peaceably if it can. I therefore vote no.

Mr. Sol Smith. If President Lincoln wants our advice in this matter, we give it to him in very good words in the original resolution. I consider the wording of that resolution to be sufficiently plain and explicit. If there was a resolution here to instruct our Representatives in Congress on this subject, I should be ready to vote on it; but for us here to undertake to give advice to President Lincoln, I think is out of place.

It may be remembered that President Monroe, in a dispatch through the Secretary of State to some foreign government, used in substance this language:

"We will not view with indifference the colonization of any foreign power upon this continent."

This, it will be owned was mild language; but I suppose it has had as great an effect as any sentence ever written. In acting here for the State, we say, by the wording of the resolution, that "we earnestly entreat the Federal Government to preserve the peace." Now, that is as far as at present I am willing to go, and I therefore vote no.

Mr. Gamble. I desire to say a few words in explanation of my vote on this occasion. By comparing the original resolution with the substitute and the amendment now pending, it will be seen that, while the former addresses itself to both the Government of the United States, and the government of the seceded States, the amendment and the substitute only address themselves to the Government of the United States. The original resolution says to both, we pray you to abstain from the exercise of military power, and it purposes to put this State in the same position with regard to both sides. But by the adoption of either the amendment or the substitute, after we have said that we entreat both sides to abstain from the use of military power, we address ourselves emphatically to one of the parties, and recommend the course to be pursued by that one party. We recommend to the Government of the United States, the withdrawal of all military force from the forts in the seceded States, but we do not, at the same time, profess to address ourselves to the armed body of men that are now surrounding those forts. Fort Sumter, if accounts be true, is now surrounded by thousands and thousands of armed men, with batteries erected, and their cannon bearing upon the fort.

Mr. Redd. I rise to a point of order. It seems to me that the gentleman is going out of the range of the subject. I thought that, after the previous question, all debate was cut off.

The Chair. The gentleman has the right to explain his vote, nevertheless.

Mr. Gamble. I claim the right to explain the reason why I shall vote for the substitute offered by the gentleman from Howard. I intend to vote for that substitute, although, after it may have been adopted by the house, and it is proposed to take place of the original resolution, I shall vote against it. I think that all its force is already comprehended in the fifth resolution. I prefer it to the amendment now pending, because, in some measure, it carries out the spirit of the fifth resolution; but I shall, nevertheless, vote against it whenever the issue is made directly between it and the original resolution. I hold that the original resolution is right in its spirit, when it proposes to ask both parties to abstain from violence—to abstain from the attempt, on the part of the people of South Carolina, to assail Fort Sumter; and, as far as the General Government is concerned, to abstain from any violence upon the troops of South Carolina. So, also, in regard to Fort Pickens, which is surrounded by large bands of soldiers, acting under State authority, with all the implements of war, all the machinery of destruction, all that is necessary to bring on this country civil war. It is essential that both parties should abstain from hostilities.

We suppose by this resolution that our counsel might be received by the Government of the United States—at least this amendment is offered on the supposition that our counsel would be so received, and while we have entreated the Government of the United States not to use military force, and while we have entreated the seceded States not to use military force, we are asked to proclaim it to be the duty of the Government of the United States to withdraw all military forces from a seceded State. That is the proposition in the amendment. It says nothing of the withdrawal of military forces by the seceded States. Now, it seems to me, Mr. President, that if our views are to be respected by both parties, it is material that we should address ourselves to both parties, and do it, too, in the language of entreaty. It was with this view that the Committee prepared the fifth resolution. By that resolution, we do not undertake to prescribe the duty of one of the parties to withdraw its military forces, nor of the other. Nor do we undertake to say that either one of the parties should withdraw its military force for fear that the presence of such force should prove an incentive to hostilities by the other. We simply take the ground of mediation. Over and over again I have expressed this view, and advocated it before this body as a matter of policy. If I were President of the United States, I would withdraw all the troops from the forts that are in the harbors of Southern States. I would take this course because of my knowledge of Southern character, because of my belief that this is the way to win the Southern heart and bring them back to loyalty. But, Mr. President, I am *not* President of the United States, and never will be, and, therefore, the responsibility will never rest on me of deciding any such question. So far as giving counsel to the Government of the United States is concerned, I am ready to give that counsel whenever I am placed in a position in which my counsel is bound to be respected. After Mr. Lincoln was elected President, and after the State of South Carolina had seceded, while there was yet a contest going on in Georgia, and in other Southern States, and when the Union men there were trying to stand up for the Union, I was exceedingly anxious that Mr. Lincoln should come out with some declaration of his views of policy, that would give strength to the Union feeling in the Southern States, and enable the advocates of the Union to meet the arguments that were brought against them by those in favor of secession. But I did not offer that counsel to Mr. Lincoln myself, because he knew I did not belong to the party to which he belonged, and therefore was not interested in the maintenance of the power of government in that party; and as I never could belong to an anti-slavery party, and it is perfectly impossible that I ever should, I did not volunteer any such counsel. At the same time, keeping my eyes steadfastly fixed upon the one great end which I had then in view, and have to-day in view, I endeavored to ascertain from a gentleman here of my acquaintance, by writing to him from the East, whether any influence could be exerted upon Mr. Lincoln that would induce him to come out and make such declaration. So, also, here, Mr. President, when it comes to the matter of deprecating violence between the parties, as likely to produce civil war, I do not propose to turn around, after having addressed both parties, and prescribe a course of policy to the Government of the United States, which is now managed by a party to which very few, indeed, of this Convention belong—I do not propose to offer counsel, which is not very likely to be accepted, coming from a body of men who are not of the same political party. I can offer entreaty to both sides. I can offer entreaty to the Government of the United States, and the government of the seceded States; but I cannot hope that the counsel of this Convention, constituted as it is of men who belong to a Southern State, will be received with any very great respect by the Administration of a Government altogether in the hands of a different party.

Mr. President, I repeat, that I prefer the original resolution to both the amendment and the substitute for the amendment. That resolution urges that, *under no pretexts whatever*, shall the Government of the United States or of the seceding States bring upon us the horrors of civil war. The language is plain and unmistakable. It covers all the ground which, as mediators, we ought to take, and it is a little gratuitous, as I apprehend that we shall enter upon the detail of that policy which we recommend in the resolution. As I understand, the Attorney General has given the opinion that the revenue cannot be collected in the Southern ports, at any place but *in* the ports; and that we cannot collect it on shipboard, because an act to that effect, which was passed in the administration of Jackson, has expired. We therefore, by the adoption of the amendment, offer a counsel in relation to the collection of the revenue, when, in fact, that collection cannot take place. There is no one Southern port in which the public buildings are now in the possession of the United States. In regard to Key West, which, I believe, is a fortress mainly designed for the protection of the commerce in the Gulf of Mexico, and not for the defense of any port, and which is the strongest fortress on the American continent, whether that is claimed to be within the jurisdiction of Florida or not, it is one of those forts that *must* be held by the Government of the United States, in order to protect the commerce of the Gulf against the piratical vessels that would immediately swarm in it, as has heretofore been the case whenever that power was withdrawn.

The vote on substituting Mr. Shackelford's amendment for the amendment of Mr. Donnell, then stood as follows:

AYES—Messrs. Bartlett, Bass, Bast, Bogy, Brown, Cayce, Chenault, Collier, Comingo, Crawford, Doniphan, Donnell, Douglass, Drake, Dunn, Frayser, Flood, Gamble, Givens, Gorin, Gravelly, Hall of Randolph, Harbin, Hatcher, Hill, Hough, Howell, Hudgins, Kidd, Knott, Marmaduke, Matson, McCormack, McDowell, Morrow, Moss, Noell, Norton, Phillips, Pomeroy, Rankin, Ray, Redd, Ritchey, Ross, Sawyer, Sayre, Shackelford of Howard, Sheeley, Waller, Watkins, Welch, Wilson, Woodson, Woolfolk, Vanbuskirk, Zimmerman, and Mr. President.

Noes—Messrs. Allen, Birch, Breckinridge, Broadhead, Bridge, Bush, Calhoun, Eitzen, Foster, Gantt, Hall of Buchanan, Henderson, Hendrick, Hitchcock, Holmes, Holt, How, Irwin, Isbell, Jackson, Jamison, Leeper, Long, Marvin, Maupin, McClurg, McFerran, Meyer, Orr, Rowland, Scott, Shackelford of St. Louis, Tindall, and Turner.

The question next being on the adoption of Mr. Shackelford's amendment, the following explanations were given:

Mr. Bush. Mr. President, I desire to make a few remarks in explanation of my vote; I deem it due to myself and the thousands of German citizens whom I have the honor to represent, and who have been assailed again and again as coercionists. I have to ask your indulgence, as I am quite unaccustomed to speak, and to speak in a language that is not the idiom of my native country. But, sir, while I confess myself wanting in oratory, nay even in correct pronunciation, I am not wanting in *love of peace;* I am not wanting in anxiety for the peace and welfare of Missouri. And more than this, while you, Mr. President, and all the members of this Convention, I believe, *only imagine the horrors* of war and fancy the evils of revolution, I *know* them; my eyes have seen what you cannot imagine, what I cannot describe—the terrors of civil war, of bloodshed and revolution. But while I know all this, I still cannot, for the sake of peace, go any further than is expressed in this fifth resolution. I can earnestly entreat the Federal Government, and may ask, in brotherly spirit, our erring *sister States to withhold, to* stay the arm of military power; but I cannot go any further, and must oppose the amendment. I consider it not only the duty of the Government to maintain itself in those forts, and that it has no right to give up the property of the United States to the seceding States; but even if the President had the right, and should consider it his policy to do so, it would not secure peace. I go so far as to say, that if the Federal Government should even choose to waive the collection of revenue in those ports, as was proposed by the gentleman from Buchanan, (Mr. Donnell,) it would be far from securing peace. I ask him, as a merchant and a banker, (as I perceive he is, from the list before me,) does he believe that New York *could* peacefully look on? Are her great commercial interests less dear to her than the cotton interest is to the South? You know, better than I do, that, at the time of the first confederation, a war nearly ensued between Massachusetts and Rhode Island, on account of unequal duties of import; and what was that trade then to the magnitude of the commerce of our day? I cannot, therefore, look on this amendment as a peace measure, and have to vote against it. I hope, however, that the present administration is for peace, and will not bring war upon us. I trust the seceding States will reflect and return—but should a conflict be inevitable, I pledge myself that your German fellow citizens will stand by the Government and the Union. They love peace. While they have left their native land, sweet home, to enjoy the blessings of peace and of liberty, the history of their own thirty-four confederate States of distracted Germany teaches them that there is no peace and no liberty without union; and this Convention, composed as it is to a large extent of sons of Kentucky, will certainly forgive them if they think with Kentucky's greatest son, Henry Clay, that *"we owe a paramount allegiance to the whole Union—a subordinate one to our own State."* I, therefore, vote against the amendment.

Mr. Hendrick. I merely desire to say, in giving my vote on this question, that I consider the language of the original resolution sufficiently explicit to cover the whole ground of conciliation which we have taken in this body. I vote aye on this amendment, but when the question comes on the original resolution, I shall prefer to have it go unamended.

Mr. Hudgins. I gave my vote in favor of the resolution of the gentleman from Buchanan (Mr. Donnell,) preferring it to the amendment of Mr. Shackelford, because there is more in it. Inasmuch, however, as that resolution failed, I am willing to vote for this amendment. I am in favor of any measure that is proposed in this Convention for the purpose of restoring peace to the country. In the fifth resolution we have said that we are opposed to coercion; that any attempt to coerce a seceding State would bring the horrors of civil war upon us. There is not a member, I apprehend, in this Convention, but who will at once see that all hope of conciliation is lost, and all efforts to effect a compromise are frustrated, so soon as coercion is attempted. I do not want to see that time come, and I would do anything in my power to avert it. I shall therefore vote for this amendment. As I have said before, it does not go so far as the amendment for which it was substituted, but it is still a step in the right direction, and should receive the support of this Convention.

Mr. Irwin. I am as much opposed to coercion as any man could possibly be, but believing that the sense of this Convention upon that subject has been fully and clearly, and explicitly set forth in the original resolution, I shall vote no.

Mr. McCormack. Perhaps there is not a gentleman upon this floor who is more opposed to coercion than myself, and if I believed that, with the adoption of this amendment, the voice of Missouri would be more potent for a reconciliation than by the simple adoption of the fifth resolution, I should vote for it; but, sir, I believe that the fifth resolution itself contains all that can be available. It is the strongest language of entreaty, and beseeches the Government of the United States, *upon no pretext whatever,* to bring about war. I do not see, on reading the resolution, that any language of entreaty could be used stronger than that. I look upon this amendment as carrying out almost the identical objects which the resolution proposes to accomplish, and do not, therefore, deem it necessary. I shall vote no.

Mr. REDD. I cordially indorse the resolution as it stands, but as it stands I think it is in the shape of resolutions which we ordinarily pass at mass meetings. My view is, that this Convention was called, not so much to express sentiments, as to *act*—to do something for the preservation of the Union. While the resolution expresses a proper sentiment, it don't *do* anything; nor does it tell anybody else to do anything. I think, taking into consideration the President's message, that there is no danger of any resort to military power, except in the collection of revenue. This amendment goes further than the resolution in this, that it requests Mr. LINCOLN to withdraw the troops from the forts within the limits of the seceding States. If that is done, it removes all cause or probability of hostile collision. I preferred the other amendment because it went one step further; but I am willing to vote for this amendment, because it requests the Government to do an act, the doing of which will tend materially to save the Union. I will vote for any measure which is calculated to restore peace and save the Union.

Mr. WOOLFOLK. Mr. President, I shall vote for this amendment, because it is in coincidence with my own feelings, and I am satisfied it reflects the sentiments of my constituents. Seven of the cotton States have passed ordinances of secession. Whether they had the Constitutional right to pass such ordinances, or whether they were justified in revolution, is not the question. The fact is, they have passed the ordinances; they have adopted a constitution and formed a government. The Federal Government may have the right to enforce the laws and to retain the forts, but it is not always policy to assert our rights. The question is, What policy will preserve and restore the Union? My anwer is—peace. War will break the last tie that binds the seceding States to the Union, and an ocean of blood will roll between us forever. It is true that many of these forts are important for national purposes. It is a national misfortune to be forced to abandon them—but the present crisis is also a national misfortune. The secession of seven States *is the greatest national misfortune*—and we are simply to decide whether we will add war to our other calamities. If the seceding States remain as they are, we cannot expect to retain the forts in their midst, in peace—besides, they are of no value to the Federal Government, unless those States remain a part of the government. If they return to the Union, they will bring the forts with them—if they do not return, the Federal Government may as well abandon the forts, unless it expects to coerce them. This would be madness—a conflict between the Federal Government and the seceded States would only render the citizens of those States a unit in their hostility to the government—at present, they are divided. In some of these States, large minorities—in others, silent majorities, are opposed to this secession movement. But, if these forts are retained, and a conflict ensues, every drop of Southern blood that is shed will make a thousand rebels. If those States return to the Union, their own citizens must make the effort to return. The fight must be made within their own limits. No foreign influence beyond their limits can ever coerce them back. Should the day come when a burdened people desire to shake off their revolutionary masters and return again to the Union, it would then be the duty of the Federal Government to prevent oppression by an armed minority, and enable the majority to fairly express their desires. In my opinion the Federal Government should never act upon those States except through the agency of the conservative element within their own limits. If time is necessary for the action of that element, let us wait. Compromise may restore the Union, but the sword can never preserve it.

Mr. Shackelford's amendment was then adopted by the following vote:

AYES — Messrs. Allen, Bogy, Breckinridge, Broadhead, Bridge, Bush, Calhoun, Cayce, Douglass, Eitzen, Foster, Gamble, Gantt, Gravelly, Hall of Buchanan, Hall of Randolph, Henderson, Hendrick, Hitchcock, Holmes, Holt, How, Irwin, Isbell, Jackson, Jamison, Kidd, Leeper, Long, Marmaduke, Marvin, Maupin, McClurg, McCormack, McDowell, McFerran, Meyer, Morrow, Noell, Orr, Phillips, Pomeroy, Rankin, Ross, Rowland, Scott, Shackelford of Howard, Shackelford of St. Louis, Smith of Linn, Turner, Wilson, Vanbuskirk, Zimmerman and Mr. President.

NOES—Messrs. Bartlett, Bass, Birch, Brown, Chenault, Collier, Comingo, Crawford, Doniphan, Donnell, Drake, Dunn, Frayser, Flood, Givens, Gorin, Harbin, Hatcher, Hill, Hough, Howell, Hudgins, Knott, Matson, Moss, Norton, Ray, Redd, Ritchey, Sawyer, Sayre, Sheeley, Smith of St. Louis, Tindall, Waller, Watkins, Welch, Woodson and Woolfolk.

Mr. HENDERSON moved to adjourn. [Cries of "No, no!"]

The *motion to adjourn* was put and rejected.

The question next being on the adoption of Mr. Shackelford's amendment as an amendment to the original resolution, it was answered affirmatively by the following vote:

Ayes—Messrs. Bartlett, Bass, Bogy, Brown, Cayce, Chenault, Collier, Comingo, Crawford, Doniphan, Donnell, Douglass, Drake, Dunn, Flood, Givens, Gorin, Gravelly, Harbin, Hatcher, Hill, Hough, Howell. Hudgins, Kidd, Knott, Marmaduke, Matson, McDowell, Morrow, Moss, Noell, Norton, Phillips, Rankin, Ray, Redd, Ritchey, Ross, Sawyer, Sayre, Scott, Shackelford of Howard, Sheeley, Watkins, Welch, Wilson, Woodson, Woolfolk, Vanbuskirk and Mr. President.

Noes—Messrs. Allen, Birch, Breckinridge, Broadhead, Bridge, Bush, Calhoun, Eitzen, Frayser, Foster, Gamble, Gantt, Hall of Buchanan, Hall of Randolph, Henderson, Hendrick, Hitchcock, Holmes, Holt, How, Irwin, Isbell, Jackson, Jamison, Johnson, Leeper, Long, Marvin, Maupin, McClurg, McCormack, McFerran, Meyer, Orr, Pomeroy, Rowland, Shackelford of St. Louis, Smith of Linn, Smith of St. Louis, Tindall, Turner, Waller, Wright and Zimmerman.

The fifth resolution, as amended, was then adopted by the following vote:

Ayes—Allen, Bartlett, Bass, Birch, Bogy, Bridge, Breckinridge, Brown, Calhoun, Cayce, Chenault, Collier, Comingo, Crawford, Doniphan, Donnell, Douglass, Drake, Dunn, Frayser, Flood, Foster, Gamble, Gantt, Givens, Gorin, Gravelly, Hall of Buchanan, Hall of Randolph, Harbin, Hatcher, Hendrick, Holmes, Holt, Hough, Howell, Hudgins, Irwin, Isbell, Jackson, Jamison, Johnson, Kidd, Knott, Leeper, Long, Marmaduke, Marvin, Matson, Maupin, McClurg, McCormack, McDowell, McFerran, Morrow, Moss, Noell, Norton, Orr, Phillips, Pomeroy, Rankin, Ray, Redd, Ritchey, Ross, Rowland, Sawyer, Sayre, Scott, Shackelford of Howard, Shackelford of St. Louis, Sheeley, Smith of Linn, Smith of St. Louis, Tindall, Turner, Waller, Watkins, Welch, Wilson, Woodson, Woolfolk, Wright, Vanbuskirk, Zimmerman, and Mr. President.

Noes — Broadhead, Bridge, Bush, Eitzen, Hill, Hitchcock, How.

Mr. Hitchcock, in explaining his vote, said that he heartily concurred in the spirit of the resolution as reported from the committee, and would have liked to see it adopted by the Convention. He could not, however, see the propriety of this Convention dictating to the President of the United States what course he ought to pursue, and would therefore vote no on the resolution as amended.

The Secretary read the sixth resolution, as follows:

Resolved, That when this Convention adjourns its session in the city of St. Louis, it will adjourn to meet in the Hall of the House of Representatives at Jefferson City, on the third Monday of December, 1861.

Mr. Hall called the previous question, which was sustained.

Mr. Redd. I should like to know if the adoption of the sixth resolution will in any way interfere with the resolution before the House in regard to the Border State Convention.

The Chair. Not at all.

The question being on the adoption of the sixth resolution, the following explanation of votes were given;

Mr. Gravelly. I have no desire to be placed conspicuously upon the record. I never held office in the State, and do not expect to be a candidate for any office; but, as a member of this Convention, I intend, so far as I am able, to represent the wishes of my constituents upon all questions before this body? I am satisfied, sir, that I represent a district which is opposed to the sixth resolution; and although, for myself, so far as any aspirations, or the gratification of desires in the future for office are concerned, I might be in favor of the resolution; still, in casting my vote, I expect to act in obedience to what I believe to be the wishes of the people of the Seventeenth Senatorial District. I am satisfied they are opposed to so many extra sessions of the Legislature, and that they would be opposed to a session of this Convention to convene in Jefferson City on the third Monday in December. They would be opposed to it, because they were opposed to *this Convention meeting at* all. *They did not con*sider it necessary, and I am satisfied that if I reflect their wishes here, I must vote against an adjourned session. They desire the preservation of the Union, and as they know that the only way by which Missouri can get out of the Union is by the action of State conventions, they would have voted by a very large majority against this Convention, if permitted to vote upon the question. I am satisfied they would be glad if this Convention would adjourn sine die to-day. They would have been glad if the Convention had adjourned sine die on the first day in Jefferson city. I therefore feel bound, in obedience to their wishes, to vote against this resolution.

I will say this, however, that in casting this vote, I do not wish to indicate that the people of my District are dissatisfied with this Convention, on account of its being a Union Convention. Far from it. They are satisfied with it, and will be satisfied with its action here. But being a Union loving people they desire an adjournment sine die, and I shall vote accordingly.

Mr. Orr. Mr. President, I had intended to have offered an amendment to the sixth resolution to the effect that we would not be called together in December if the difficulties now dividing the people were amicably settled previous to that time, as it would cost the State a considerable amount of money, and we have not much to spare; but the gentleman has called for the previous question. I don't want us ever to meet again unnecessarily, but am satisfied we are elected for life.

Mr. Redd. It was my desire first to dispose of the resolution in regard to the Border State Convention before taking up this resolution. My action in regard to this resolution in that case would have been somewhat dependent upon the action which the Convention would take in regard to the resolution calling a Border State Convention. If the proposition for such a Convention had been voted down, I should have been in favor of adjourning *sine die*. I have such a resolution prepared to offer as a substitute to this, but the gentleman knowing that fact, moved the adoption of this resolution and the previous question in the same breath, to cut me off from presenting the substitute, and to avoid voting on it. As it is, I must conform to the tactics, unfair though they may be, of the majority; and being compelled to vote, I vote no.

The sixth resolution was thereupon adopted by the following vote:

Ayes—Allen, Bartlett, Bass, Birch, Bogy, Breckinridge, Broadhead, Bridge, Brown, Bush, Calhoun, Cayce, Collier, Douglass, Drake, Dunn, Eitzen, Frayser, Flood, Foster, Gamble, Gantt, Hall of Buchanan, Hall of Randolph, Hatcher, Henderson, Hendricks, Hill, Hitchcock, Holmes, Holt, Hough, How, Irwin, Isbell, Jackson, Jamison, Johnson, Kidd, Leeper, Long, Marmaduke, Marvin, Maupin, McClurg, McCormack, McFerran, Meyer, Morrow, Moss, Noell, Orr, Phillips, Pipkin, Rankin, Ray, Ross, Rowland, Scott, Shackelford of Howard, Shackelford of St. Louis, Sheeley, Smith of Linn, Smith of St. Louis, Tindall, Turner, Waller, Watkins, Welch, Wilson, Woodson, Woolfolk, Wright, Vanbuskirk, Zimmerman, Mr. President—78.

Noes.—Chenault, Comingo, Crawford, Doniphan, Donnell, Givens, Gorin, Gravelly, Harbin, Howell, Hudgins, Knott, Matson, McDowell, Norton, Redd, Ritchey, Sawyer, Sayre—19.

Mr. Phillips moved to adjourn. Disagreed to by 46 ayes to 48 noes.

The Secretary read the seventh resolution, as follows:

Resolved, That a committee of —— be elected by this Convention, a majority of which shall have power to call this Convention together at such time prior to the third Monday of December, and at such place as they may think the public exigencies require, and the survivors or the survivor of said committee shall have power to fill any vacancies that may happen in said committee by death, resignation, or otherwise, during the recess of this Convention.

Mr. Brown offered the following substitute:

Resolved, That a committee of seven be elected by this Convention, consisting of one from each Congressional District, a majority of which shall have power to call this Convention together prior to the third Monday in December, as public exigencies may require; and in case any vacancy occurs in said committee, the survivor or survivors shall have power to fill it.

Mr. Hall of Buchanan, offered the following amendment to the substitute: Strike out all after the word "require," and insert as follows: In case any vacancies shall occur, by resignation or otherwise, the remaining member or members of said commitee shall have power to fill the same.

Mr. Dunn offered the following amendment to the original resolution, which was read for information: Fill the blank with the word "seven," and after the word "seven" the words *in each Congressional District*.

Mr. Brown withdrew his substitute.

The amendment of Mr. Dunn to the original resolution was thereupon adopted.

Mr. Hall, of Buchanan, moved to further amend, by striking out all after the word "and," which immediately precedes the words "the survivors," and inserting: "in case any vacancies shall occur, by resignation or otherwise, the remaining members or member of said committee shall have power to fill the same."

The amendment was adopted.

Mr. Redd offered the following amendment: Strike out the words, "at such place as they may think the public exigency requires," and insert the words, "at the city of Jefferson," in place thereof.

Objected to on the ground that the Legislature might be in session at the time set in the resolution, and lost—ayes 37; noes 45.

Mr. Birch offered an amendment, which, being subsequently modified by the mover, is as follows: Amend by adding "and if the said committee shall be of opinion hereafter that there is no longer a necessity for a reassembling of the Convention, and shall so declare by proper public communication, then the Convention shall not reassemble the third Monday in December, but may be called together by a majority of said committee at any subsequent period."

Mr. Wilson offered the following amendment to the amendment: "If it be the request of a majority of all the members of the Convention in writing, delivered to said committee prior to the third Monday in December, the said committee shall on that day adjourn this Convention *sine die*."

Mr. Shackelford, of Howard, offered the following amendment, which was read for information: "Provided, that if the Convention does not assemble on the third Monday in December, it shall stand adjourned *sine die*."

Upon the above amendments, a running debate ensued, in which Messrs. Welch, Birch, Wilson, Redd and others participated, and pending which the Convention adjourned.

EIGHTEENTH DAY.

ST. LOUIS, MARCH 21st, 1861.

Mr. PRESIDENT in the Chair.

Prayer by the Chaplain.

Journal read and approved.

Mr. HENDERSON, from the committee to whom was referred the communication from the Georgia Commissioner, presented the following

REPORT.

Mr. PRESIDENT: Your committee, to whom was referred the communication of the Honorable Luther J. Glenn, who appeared before the Convention as a Commissioner from Georgia, and having presented the ordinance of secession adopted by said State, was pleased to "invite the co-operation of Missouri with Georgia and the other seceding States in the formation of a Southern Confederacy," have had the same under consideration, and beg leave to report as follows:

The Committee sincerely regret that the commission under which Mr. Glenn was accredited to our State, was limited in its scope to a mere invitation to withdraw from the Government of our fathers and form a distinct confederacy with the Gulf States. His mission seems to contemplate *no plan of reconciliation—no measure of redress* for alleged grievances, which, being adopted, would prove satisfactory to Georgia. Having chosen secession as the only remedy for existing ills, Georgia, through her Commissioner, supposes that similar interests, connected with the exigency precipitated upon us by the action of the cotton States, will impel Missouri to withdraw from the Union and cast her lot with them.

The reasons assigned by Mr. Glenn for this action on the part of his State are: First, that the laws of Congress imposing duties on imports have been so framed as to discriminate very injuriously against Southern interests; Second, that a great sectional party, chiefly confined to the Northern States of the Union, whose leading idea is animosity to the institution of negro slavery, has gradually become so strong as to obtain the chief executive power of the nation, which is regarded as a present insult to the South; and, Third, that the ultimate object of this party is the total extinction of slavery in the States where it now exists by law, and the placing upon terms of *political* equality, at least, the white and black races; and to prevent evils of such magnitude, as well as to preserve the honor and safety of the South, Georgia and some of her sister States have deliberately resolved to withdraw from the Union, never to return.

Your Committee trust that they duly appreciate the gravity of the communication thus made to the people of Missouri.

Missouri entered the Union at the close of an angry contest on the subject of slavery. Her geographical position, the variety of the branches of industry to which her resources point, her past growth and future prospects, combine to demand that all her counsels be taken in the spirit of sobriety and conciliation.

Your Committee waive for the moment the consideration of the moral aspect of what they conceive to be the heresy of secession, because if they entered, in the first instance, upon this examination, its results would preclude any inquiry into the material consequences of the action to which Missouri is solicited.

The peculiar position of our State is different from that of Georgia, or any other of the cotton-growing States. If it be true, as represented, that the revenue laws of the country operate oppressively upon them—and this objection is now heard for the first time after an interval of nearly thirty years—it cannot be pretended that any part of this particular grievance touches Missouri.

Acknowledging as we do the power of Congress to impose such duties for revenue purposes at least, and trusting to the wisdom and justice of that body for impartial legislation, we are unwilling to seek, in a step promising nothing but the most unequivocal calamities, a refuge from imaginary evils.

In reference to the more important matter presented as a reason for the action of Georgia, your committee would say, that Missouri has watched, with painful anxiety, the progress of a great sectional party in the North, based upon the exclusion of slavery from the Territories, which are the common property of the whole Union. Doing the Republican party the justice to believe that it means to carry out the articles of its political creed, as stated in its platform and indicated by its recent votes in Congress, we deem it incorrect to declare that it cherishes any present intention to interfere with slavery in the States of the Union. Any such attempt would justly arouse the highest exasperation in every slaveholding State; but it is considered unwise to go out of our way to denounce hypothetically a design which, so far from being threatened, is disavowed by that party.

We are aware that individual members of the Republican party have at times enunciated most dangerous heresies, and that some of its extremists have, with apparent deliberation, embodied in the form of resolutions, and published to the world, sentiments which would fully authorize, if regarded as the views of the whole organization, the condemnation due to principles at war with the security of rights of property in nearly half the States of the Union; but we must guard ourselves against the double error of imagining that all the bad rhetoric and uncharitable speech of orators whose highest aim is to produce a sensation, are to be taken as the true exponent of the sober views of their party, and that language recklessly used by a party seeking to obtain power is a faithful index of the conduct it will pursue when power has been once obtained.

In support of these views, your Committee may instance the adoption of a constitutional amendment by the requisite two-thirds vote of each branch of the last Congress, after the Representatives from seven Southern States had withdrawn, providing against all interference by Congress with the institution of slavery, as it may exist in any State of the Union—a provision irrevocable without the consent of every State, From this it may be seen that the extremists attached to the Republican party have so far been unable to control it.

In proof of the proposition that parties are more radical in the acquisition than in the exercise of power, we may refer to the recent organization of three several territorial governments, upon the principles contained in the compromise measures of 1850—and afterwards applied, upon demand of the South, to the provisional governments of Kansas and Nebraska.

But notwithstanding these evidences denoting thus far a proper appreciation of the rights and wishes of the people of the South, the Honorable Commissioner was pleased to assure us that Georgia had lost all confidence in the North. Such, Mr. President, is not the sentiment of Missouri. That many of the citizens of the North, including the turbulent demagogues, who incite to treason, and their deluded followers who execute their teachings by invading other States, with a view of inaugurating revolution or setting at defiance, by forcible resistance, the Federal laws, on their own soil, have forfeited our confidence, will not be denied. But to denounce the innocent with the guilty and charge whole communities with the crimes or bad faith of a few, does not accord with the moral or political ethics of Missourians.

It is true that some of the Northern States have enacted laws, the provisions of which seem designed to impede the prompt and faithful execution of the Fugitive Slave Law, but such enactments are void. They disgrace the statute books on which they appear, and serve no other purpose than to weaken the fraternal ties that should bind together the people of different sections of the Union. These enactments are fast disappearing; and the hope may be indulged that, in the course of a few months, this source of irritation will be permanently removed.

So far then from having lost all confidence in the North, Missouri is assured, by the history of the past, that every right she may constitutionally claim will be accorded to her. Let the passions of the day, engendered by political conflict, subside and the ultra dogmas of party leaders will be discarded. Let the American mind once more be directed to the importance of perpetuating the blessings of a good government, instead of indulging vain hopes of establishing a better one, at the close of the most dangerous and criminal revolutions, and then the peace of the country will have been restored.

We are not advised that concessions demanded by the Southern people, on the subject of slavery, have heretofore been refused by those of the North. No Federal legislation, discriminating against the institution, has ever been imposed upon the South by the sectional power of the North. The ordinance of 1787, prohibiting slavery in the Northwest territory, ceded to the General Government by the State of Virginia, was proposed and advocated by one of the most distinguished sons of the "Old Dominion." The proposition was seconded and supported by Southern men, and, though the result of the measure was the exclusion of slavery from the soil of five large States of the Union, yet the South should not be so unjust as now to complain of the deed.

The Missouri compromise was agreed upon by the representatives of both sections of the country, and neither should now reproach the other. It was proposed by a Southern man, received the assent of the South, and acquiesced in by the people of the nation.

And though, it may be said, the compact was made in ignorance of the law, as recently declared by the Supreme Court, the people of the South will scarcely now sacrifice their high sense of honor, so long claimed as a leading characteristic, in eager and unnatural desire to find causes of quarrel with their brethren of the North.

At a subsequent period the South demanded a repeal of the Missouri Compromise line, and the adoption of the principle of non-intervention upon the subject of slavery in the territories. The demand was acceded to, and territorial governments established in accordance with their wishes. That portion of the territory, once covered by the restriction of 1820, was thus opened to the introduction of slavery, and now, for the first time since the organization of the Federal Government has slavery become lawful upon every part of the public domain. Georgia and Missouri united in this appeal to the patriotism and justice of the North.

The concession was made, and Missouri would be false to every principle of honor should she find in the act a pretext for the charge of broken faith.

The operation of this principle having become distasteful to some of our Southern friends, it was thought by them advisable to make yet another demand upon the people of the North. The doctrine of Congressional protection of slavery in the Territories was urged as a substitute for that of popular sovereignty, so recently adopted at their own instance and request. The demand, however, is only made in a political convention, and admitted, by the parties urging it, to be an unnecessary and impracticable abstraction. When attempted to be engrafted upon the legislation of the country, it is repudiated by nearly the entire South, and even by Georgia herself. Your committee are by no means satisfied that even this request would be refused by a large proportion of the Northern people, were it necessary to preserve the Union, or secure the rights of their brethren. But, until it shall be acknowledged as a vital and living principle by the South, and refused by the North, Missouri will be slow even to complain of injustice, much less to enter into any schemes for the destruction of the Government.

Missouri is not yet ready to abandon the experiment of free government. She has not lost all confidence in the people of any section of the nation, because the past furnishes assurance to the contrary; the present is cheered by her unshaken faith in the capacity of man to govern himself—and the future invites to peace and continued Union, for the prosperity of all.

If evils exist under the Constitution and laws, as they are, let the proper appeal be addressed to the American heart, both North and South, and these evils will be removed. If, in the heat of partizan rancor, the expressions or deeds of the vicious shall point to future aggressions, the patriotism of the masses needs only to be invoked for new guarantees against anticipated wrong.

From what has been already said, it will be seen that the views of Georgia, as expressed by her Commissioner and those of your Committee, in reference to the policy to be pursued by the Southern States in the present emergency, are essentially different. We believe that Missouri yet relies upon the justice of the American people, whilst Georgia seems to despair. The one recognizes friends in the North, whose lives, if necessary, will be devoted to her defence; the other, regarding them as unworthy of her confidence, spurns their friendship, and defies their enmity. Missouri looks to the Federal Constitution to protect the rights of her citizens, whilst Georgia unnecessarily rushes into revolution and hazards all upon a single issue. Georgia, seeming to regard the Union as the source of imaginary ills, adopts secession as a remedy; Missouri, feeling that she is indebted to the Union for the prosperity of her citizens, her power and wealth as a State, yet clings to it with the patriotic devotion of earlier days.

Your committee, so far, have confined themselves to an examination of the causes alleged for the revolution in the Southern States, and the apparent want of necessity for so extraordinary a movement at the present time. Indeed, so rapid and ill advised has this action been, that it seems rather the execution of meditated conspiracy against the Government by restless and uneasy demagogues, than the slow and determined movement of a reflecting people. We see many of the dangerous men who controlled the nullification plot of South Carolina in 1832; the prominent actors in the present desperate experiment against the peace and happiness of the country. Feeling, as we do, the total inadequacy of the causes presented for this ruinous policy, your committee will be excused in the expression of some doubt as to the deliberation and wisdom with which the honorable Commissioner was pleased to assure us Georgia had acted in the premises. And in this connection we will be further excused for commending to the serious consideration of the good citizens of Georgia, and other seceding States, who may for the moment have been seduced from the paths of safety by the artful schemes of bad men, the following memorable words from one whose patriotism will not be doubted, and whose unerring sagacity is being daily verified in the history of the Republic.

"Washington, May 1, 1833.

"My Dear Sir: * * * * * * I have had a laborious task here; but nullification is dead, and its actors and courtiers will only be remembered by the people to be execrated for their wicked designs to sever and destroy the only good Government on the globe, and that prosperity and happiness we enjoy over every portion of the world. Haman's gallows ought to be the fate of all such ambitious men, who would involve their country in civil war, and all the evils in its train, that they might reign, and ride on its whirlwind and direct the storm. The free people of these United States have spoken, and consigned these wicked demagogues to their proper doom. Take care of your nullifiers; you have them among you; let them meet with the indignant frowns of every man who loves his country. The tariff, it is *now* known, was a mere pretext. *The next pretext will be the negro or slavery question.*

"ANDREW JACKSON.

"Rev. Andrew J. Crawford."

The Commissioner was pleased to invoke the identity of interests and feeling between the people of Georgia and Missouri, as a reason that we should abandon the Government of our fathers, and take our position with the seceding States. It will be borne in mind that this proposition was urged, not with a view of securing such guaranties as might ultimately lead to a reunion of the States, and the establishment of fraternal peace, but for the purpose of constructing permanently a separate and distinct confederacy.

If the union of these two great States, under the same government—and we admit the fact—be so desirable to Georgia, we will be pardoned in the expression of astonishment that she saw fit to dissolve that connection, which had been peaceful and happy for the last forty years, without consulting the interests or wishes of Missouri. It may not be intended, but the inference is forced upon us, that longer to enjoy the beneficial results to flow from union with our revolting sisters, we must surrender our own convictions of duty and follow the imperative behests of others. Missouri must resign her place in the present galaxy of States, where the lustre and brilliancy of each but add harmony and beauty to the whole, and accept such position as may be assigned her in the new constellation, whose light, we fear, may never penetrate beyond the southern skies.

The importance of the accession of Missouri to any confederacy formed upon the ruins of the present Union will be readily granted; but, before accepting any such invitation without any guaranty for the future, it behooves us now to examine the character of the remedy proposed, and also its inevitable consequences upon the people of Missouri. Should the government become destructive of the ends for which it was instituted, and oppression become the established rule of its action, we presume that none will deny the revolutionary right of redress. This, however, is a remedy outside of the provisions of the Federal Constitution and one that must necessarily address itself to the moral sense of the civilized world. It depends for its success upon deep convictions of wrong by citizens of the revolting district, claiming, when justifiable, the encouragement and sympathy of other nations. It is the last remedy of injured man to obtain in violence and bloodshed, if need be, the establishment of an incontestible right. It presumes the total inefficiency of his government to redress his wrongs. It supposes that all the efforts of peace have been exhausted, and that present evils are beyond endurance.

If it be true "that governments long established should not be changed for light and transient causes," it occurs to your Committee that a proper appreciation of this truth will at once dispel all ideas of present revolution.

Secession, on the other hand, is claimed as a right resulting from the nature of our Government; that the Constitution is a mere compact between the States, not subject even to the ordinary rules governing contracts; that it is a confederation of States, not a government of the people.

It will be observed that no attempt of a serious character has ever been made to overthrow the Government without adopting this theory as the best means to accomplish the end. The reason is obvious; for although it is declared in the instrument itself that "this Constitution and the laws of the United States which shall be made in pursuance thereof, and all treaties made under the authority of the United States, shall be the supreme law of the land; and the Judges in every State shall be bound thereby, anything in the Constitution or laws of any State to the contrary notwithstanding," this doctrine interposes State authority between the rebellious citizen and the consequences of his crime. Hence the delegates from the five New England States who met at Hartford, Connecticut, in 1814, in response to the call of the Massachusetts Legislature, saying "it *was expedient to lay the foundation* for a radical reform in the national compact, and devise some mode of defense suitable to those States, the affinities of whose interests are closest, and whose intercourse are most frequent," after enumerating their grievances against the Government, declare that "in cases of deliberate, dangerous and palpable infractions of the Constitution, affecting the sovereignty of a State and the liberties of the people, it is not only the right but the duty of such a State to interpose its authority for protection, in the manner best calculated to secure that end. When emergencies occur, which are either beyond the reach of the judicial tribunals, or too pressing to admit of the delay incident to their forms, States which have no common umpire *must be their own judges* and execute their own decisions."

Looking forward to the ultimate dissolution of the Union and the erection of a Northern Confederacy, as one of the means to secure that end, they recommended amendments to the Constitution, which they must have known would not be adopted. Their rejection, it was hoped, no doubt, would "fire the Northern mind and precipitate" the New England States "into a revolution." Seeing the enormity of their proceedings and that merited punishment would likely be visited upon them by the Government, they, too, entered their solemn protest against coercion, and declared "if the Union be destined to dissolution by reason of the multiplied abuses of bad administration, it should be, if possible, the work of peaceable times and deliberate consent," and that "a sepation by *equitable arrangement* will be preferable to an *alliance by constraint* among nominal friends but real enemies."

We pause but to remark that the amendments to the Constitution proposed by this sectional convention were never adopted, the New England States remained in the Union, peace and prosperity again blessed the land, and the conspirators, abhorred and shunned by men, silently passed along to a grave of infamy.

At a subsequent period a movement somewhat similar in its nature was inaugurated in some of the Southern States, and your Committee hope that the allusion will give no offense to Georgia. The grievance complained of was the tariff act of 1828. South Carolina took the incipient step and declared the Constitution to be a compact between

States as independent sovereignties, and not a government of the people—that the Federal Government was responsible to the State Legislatures, when it assumed powers not conferred—that notwitstanding a tribunal was appointed under the Constitution to decide controversies where the United States was a party, there were some questions that must occur between the Government and the States, which it would be unsafe to submit to any judicial tribunal, and finally, that the State had a right to judge for itself as to infractions of the Constitution.

Alabama, Virginia and Georgia having yielded assent to this exposition of the principles of the Government, a Convention was assembled in South Carolina, which at once declared the obnoxious law to be null and void, and of no binding force upon the citizens of that State. It was further resolved, that in case of an attempt by the General Government to enforce the tariff laws of 1828 or 1832, the Union was to be dissolved, and a Convention called to form an independent government of that State; and in order that the nullification might be thorough and complete, it was provided, that no appeal should be permitted to the Supreme Court of the United States, in any question concerning the validity of the ordinance or of the laws that might be passed by the Legislature to give it effect. In pursuance of this scheme, the Governor was authorized by the Legislature, to call on the militia of the State to resist the enforcement of the Federal laws; arms and munitions of war were placed at his disposal, and the State judiciary was to be exonerated from their oaths to support the Federal Constitution. Treason to the Union became sanctified with the name of patriotism, and its hideous deformity was attempted to be shielded by the mantle of State Sovereignty.

At this juncture appeared the proclamation of Jackson, explaining the nature of the American Government, denying the pretended right of sovereignty and claiming the supremacy of the Federal Constitution. A military force was ordered to assemble at Charleston, and a sloop-of-war was dispatched to the same point, to protect the Federal officers in the discharge of their duties. False theories were exploded; the tide of revolution that threatened to engulf the entire South was checked; the passions of the moment subsided; the public mind that had been maddened by the unlicensed declamation of the demagogue, was remitted to calm reflection, and soon the whole country responded to the patriotic sentiment of the iron-nerved statesman: "Our Federal Union—it must be preserved."

We pause but to remark, that the revenues were collected, peace was preserved, the country was saved, and a new batch of restless men consigned to oblivion by an indignant people. Other instances might be given in which false constructions of the Constitution have been urged, with the obvious intention ultimately to destroy it; but your Committee feel assured that the instrument itself, when viewed in connection with the history of its adoption, cannot be so tortured as to sanction the right of sccession. It is an instrument of delegated powers, granted by "the people of the United States, in order to form a more perfect Union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to themselves and their posterity."

All legislative powers granted in the Constitution are vested in a Congress, composed of a Senate and House of Representatives. After an express enumeration of grants of power that may be exercised by that body, it is further provided, that Congress shall have power "to make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the Government of the United States or in any department or officer thereof."

It is then provided, that "the laws of the United States, which shall be made in pusuance" of these grants of power, "shall be the supreme law of the land, and the Judges in every State," in their administration of justice, "shall be bound thereby," notwithstanding the Constitution and laws of their own State may be to the contrary.

"The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people." If the framers of the Constitution had stopped at this point and furnished us no tribunal, before which the humblest citizen may obtain redress, when the limitations of the instrument shall be exceeded by the law-making power, the pretext for the assumed right would be infinitely more plausible. But such is not the case. The powers delegated, having been granted by the people for purposes of permanent and perpetual government, cannot be withdrawn by any State or any number of States, except in the mode indicated in the Constitution itself. These grants of power were at the time supposed to be essential to the common good; that being of a general nature, it were best to confer their exercise upon a National Government.

This having been done, the several States cannot be regarded as perfect sovereignties. The people of the whole Union having surrendered to the General Government a portion of their powers—which are material attributes of sovereignty—and having declared that government to be the supreme law of the land, it cannot be seriously urged that any number of the people organizing a State government, may confer upon it powers with which they have already parted.

But, in order to protect the people of each and every State against encroachment by the Federal authority; to prevent interference by the States with powers delegated to the Federal Government, and to preserve to each its appropriate rights for all time to come, a wise provision was made, which so far, it must be admitted, has answered all the ends for which it was adopted.

Controversies must necessarily spring up in the administration of governments so complicated in their nature, for each may be said to be sovereign within its appropriate sphere, and in order that a peaceable solution may be had in every possible case that can arise, our forefathers provided an arbiter in the Judiciary department of the Government; its power extending "to all cases in law and equity arising under this Constitution, the laws of the United States, and treaties made, or which shall be made, under their authority;" "to controversies to which the United States shall be a party; to controversies between two or more States; between a State and citizens of another State; between citizens of different States; between citizens of the same State, claiming lands under grants of different States, and between a State or citizens thereof and foreign States, citizens or subjects."

This, in connection with the other provisions of the Constitution referred to renders our Government, in the judgment of your Committee, the best ever established by man. Whether Georgia and other seceding States may be able to devise a better, the future alone can determine.

If we were disposed further to demonstrate the heterodoxy of secession as a right deducible from the Constitution, we might refer to other plain provisions of that instrument, and ask pertinent questions as to the reason of their adoption, and the consequences flowing from an admission of the right.

Why grant the power "to borrow money on the credit of the United States," if the State, perhaps receiving the benefit of the fund, can withdraw and absolve her citizens from all obligation to pay? Why the power "to lay and collect taxes, duties, imposts, and excises, to pay the debts and provide for the common defense and general welfare of the United States," if a simple ordinance of secession excuses the citizen and nullifies the provision for calling "forth the militia to execute the laws of the Union?" Why the power "to declare war," if, in the midst of hostilities, the State whose representatives may have voted for the declaration, but now wearied of its calamities, may seek peace in secession, and leave the Government to struggle with its dangers and its burdens? Why dec'are that "no State shall enter into any treaty, alliance or confederation;" that "no State shall enter into any agreement or compact with another State, or with a foreign power," if all these things can be done in perfect accordance with the Constitution?

We might also refer to the acquisition of Florida, the purchase of Louisiana, the payment of the Texas debt, and the boasted "indemnity for the past and security for the future," supposed to be realized at the close of the war with Mexico, all of which were mere "promises to the ear," if the doctrine of secession be true.

But were your Committee disposed to abandon the dictates of patriotism and forget for the moment their loyalty to the Constitution of the nation, a proper regard for the local interests of our own State would demand at our hands an examination of the probable consequences of the action proposed. We are told by the Commissioner that Georgia acted for herself and adopted such course as she deemed best calculated to protect her honor and secure the welfare of her citizens.

If it be true that each State possesses the right to judge for itself, and its own peculiar interests should control its policy, in emergencies like the present, and that Georgia, in the exercise of that right, has acted with an eye single to her own welfare, it may be well doubted whether a similar instinct of self-preservation on our part should be influenced by the conduct of others.

It is urged that the Northern mind has become so corrupted by the anti-slavery mania of the day, as to render this species of property insecure. If secession could remove our State beyond the reach of this morbid sentiment, or build mountains and seas upon our borders, to arrest the operation of its influence, the remedy proposed might at least be regarded in a more favorable light. Our State is surrounded by territory which, in the event of separation, will pass under the jurisdiction of a foreign government; and if it be once admitted that fraternal regard and a sense of mutual dependence, cemented by the associations of the past and the hopes of the future, are now insufficient to check the insubordinate citizens of adjacent States, what limit to outrage may be anticipated when these restraints are removed.

Mr. Welch. I move to dispense with the further reading of the report, and that it be made the special order for the third Monday in December, 1861, and on that motion I call the ayes and noes.

Mr. Breckinridge. It strikes me that would hardly be an act of coutesy to the gentleman from Pike, (Mr. Henderson.) I trust he may be allowed at least to finish the reading of his report.

Mr. Sheeley. Is the question susceptible of divison? I desire as an act of courtesy that the report be read through, but I am in favor of postponing until the third Monday in December.

Mr. Welch. At the request of gentlemen, I defer my motion until the report has been read.

Mr. HENDERSON then continued:

Supposing that a peaceable separation could be accomplished, new and important questions would be precipitated upon us. The present elements of our prosperity as one people would become the sources of bitter strife. What gives power as a nation would bring about conflicts between its different societies, as independent sovereignties, that must soon terminate in the destruction of the weaker and the comparative ruin of the stronger. The great rivers of our country, now floating the commerce of a happy people, would daily present questions for angry controversy, between rival Republics. There being no common arbiter for the adjustment of these exciting differences, an appeal to the sword will be made to settle them. Treaties will likely fail to secure what now is claimed as a constitutional right. In this view of the case, Missouri having withdrawn from the Union, to obtain greater security in negro property, would suddenly find herself surrounded by territory affording for the fugitive slave an asylum as safe as the Canadian provinces. Secession does not commend itself to Missouri as a proper solution of the problem involved in political strife upon the territorial question.

It has been already remarked that the idea of excluding slavery from the Territories, as entertained by the Republican party, is in conflict with an unreversed decision of the Supreme Court of the United States, and was wholly abandoned by that party in the recent organization of territorial governments. The right to carry slaves into all the public domain is to-day clear and undisputed, and if the soil and climate be such as to forbid the permanent existence of the institution therein, secession will scarcely be regarded by Missouri as a remedy for the supposed grievance.

Again we may ask if the Southern States withdraw from the government, will it not be argued that they have abandoned all interest in the public property? We waive the question of right, for evidently it resolves itself into one of power, and it is at least certain that such will be the view of those from whom we may have separated. This of itself will inaugurate a contest of the most violent character, and whether the institution of slavery may be safely planted upon any soil in the midst of hostilities, originating from these causes, is a question deserving our serious consideration.

In conclusion, Mr. President, your Committee desire to express the hope that the errors of the day, both North and South, will soon be abandoned, that fraternal love will be restored by adjustment, honorable alike to every section, and that Georgia and Missouri may continue in the Union of our fathers, to bless and to be blessed, in the great family of States.

In every point of view in which we have been able to examine the communication soliciting our withdrawal from the Union, whether viewed as a Constitutional right, a remedy for existing evils, or a preventive of anticipated wrongs, we find it in conflict with our allegiance to a good Government, and wholly inefficient to accomplish the ends designed.

We therefore recommend to the Convention the adoption of the following resolutions:

1st. That the communication made to the Convention by the Hon. Luther J. Glenn, as a Commissioner from the State of Georgia, so far as it asserts the constitutional right of secession meets with our disapproval.

2d. That whilst we reprobate, in common with Georgia, the violation of constitutional duty by Northern fanatics, we cannot approve the secession of Georgia and her sister States, as a measure likely to prove beneficial either to us or to themselves.

3d. That in our opinion the dissolution of the Union would be ruinous to the best interests of Missouri, hence no efforts should be spared on her part to secure its continued blessings to her people, and she will labor for an adjustment of all existing differences, on such a basis as will be compatible with the interest and the honor of all the States.

4th. That this Convention exhorts Georgia and the other seceding States to desist from the revolutionary measures commenced by them, and unite their voice with ours in restoring peace and cementing the union of our fathers.

5th. *Resolved*, That the President of this Convention transmit a copy of these resolutions, together with a copy of those concerning our Federal Relations adopted by the Convention, to the President of the Convention of Georgia, or if the Convention shall have adjourned, then to the Governor of said State.

Mr. BIRCH (of the same committee.) It is due to myself to state, that in view of the delicate and important duties of the Committee, I moved at an early day of the session that it (as well as the Committee on Federal Relations) should have leave to sit during the sessions of the Convention. I design to cast no reproach upon the Chairman of the Committee, but to state, as a reason why I have not myself prepared a somewhat different (though, of course, a less able) report, that although I had personally called the attention of the Chairman to the propriety of a more early meeting of his Committee, its first session was held last night, and even then the meeting was not a full one. I will add no more, except that the resolutions which I will read to the Convention are all I have had leisure to properly prepare in behalf of the minority of the Committee, and in consonance with the views I have more fully indicated in my speech during the first week of the session. These resolutions I will offer, at a proper time, as a substitute for those of the majority of the committee.

Mr. **Birch** then read his resolutions, as follows:

Resolved, That whilst denying the legal right of a State to secede from the Union, (as assumed in the communication which has been made to this State by the Commissioner from the State of Georgia,) we recognize in lieu thereof the right of revolution, should sufficient reason arise therefor.

2. That, whilst in common with the State of Georgia, we deplore and reprobate the sectional disregard of duty and fraternity so forcibly presented by her Commissioner, we are nevertheless undespairing of future justice; nor *will* we despair until our complaints shall have been specifically and unavailingly submitted to the Northern People.

3. That we concur with the Commissioner of the State of Georgia, that the possession of slave property is a constitutional right, and as such ought to continue to be recognized by the Federal Government; that, if it shall invade or impair that right, the slaveholding States should be found united in its defense; and that in such events as may legitimately follow, this State will share the danger and the destiny of her sister slave States.

4. That, relying upon the restoration of fraternal relations on the basis of adjustment thus and otherwise denoted in the action of this Convention, the President is requested to communicate to each of the seceding States a copy of its resolves, and to invoke for them the same earnest and respectful consideration in which they are submitted, and which restrains this Convention from any further criticism upon the mode or manner, the motives or the influences for the action of the seceding States—than to add, that it has elicited our unfeigned regret.

Mr. **Howell.** I have voted that there is no adequate cause at the present time to impel Missouri to dissolve her relations with the General Government. But, while I gave that vote, I think it is but justice to myself and to my constituents to say that the report that has been read is not conceived in a proper spirit, and is not in the temper that one slaveholding State should manifest toward another; and therefore, sir, as one of the members of the committee presenting the report, I wish to state that I have not been able to give it my assent.

Mr. **Welch.** I believe the gentlemen of this Convention are anxious to adjourn. I am not now prepared to say what discussion that report might elicit. It is a very long document, and the Convention, I judge, will not be prepared to act upon it at present. The most of the report, I beg leave to remark in all kindness, is on a subject not referred to the committee. I do not understand that this Convention referred the speech of the Commissioner from Georgia to the committee with the expectation that a reply would be made. I understand that the ordinance of secession and the credentials of the gentleman were referred to the committee, but a large majority of the report is devoted to a reply to the speech of the Commissioner, which was not referred to the Committee. As a large majority of the members of this Convention desire that this Convention shall be speedily terminated, I therefore renew my motion; but I will not renew my motion to print, because the journal will be printed before the Convention meets again, and they will then have the report before them as printed in the journal. I therefore move to lay the report on the table, and make it the special order for the third Monday of December next.

Mr. **Hall** of Buchanan. Is it in order to amend that proposition. I would like to amend by moving that the report be laid on the table and printed.

The **Chair.** It is not in order.

Mr. **Welch.** I wish to remark that I intended to include the Minority Report also.

Mr. **Knott.** As a member of the Committee I feel it is due to myself to make a personal explanation. I have not had the pleasure of attending a meeting of this Committee at all, on account of indisposition which I have been laboring under for several days. Furthermore, I was not in the Convention when the committee was appointed, or I should have raised a point of order. I believe this whole matter ought to have been referred to the Committee on Federal Relations.

The **Chair.** I would say the gentleman is out of order.

Mr. **Knott.** I simply desire to make a personal explanation.

The **Chair.** The gentleman must confine himself to personal explanation without giving his opinions as to what should have been done.

Mr. **Knott.** I ask leave of the House.

The **Chair.** The question will be on granting the gentleman leave.

Leave was granted.

Mr. **Knott.** I was in favor of discharging this committee and referring this subject to the Committee on Federal Relations. I so expressed myself to a number of gentlemen of this Convention. For one, sir, I did not then, and do not now, see the propriety of this Convention replying to the speech of the Commissioner from Georgia. Georgia adopted an ordinance of secession, and transmitted it without argument or explanation, to the State of Missouri, through her Commissioner. All, then, that courtesy to Georgia, and a sense of our own dignity, would require, at our hands, would simply be to transmit to Georgia our action upon that matter without explanation. There are many things in the report which, taken separately, I can indorse; but there are many others which I cannot. I hope the motion to postpone to December will be carried.

Mr. Henderson. I wish to make one remark, in the shape of a personal explanation simply. I will state that the committee might have come to an earlier conclusion in regard to this matter, had it not been for the fact that I was compelled to act upon the Committee on Federal Relations, and was engaged there during the earlier part of the session of the Convention, and my friend Mr. Knott having occasion to go to Jefferson, he requested I should not act until his return. Since that time he has been so much indisposed as to be unable to attend our sittings. I have several times had it announced from the Secretary's desk, and have gone around personally among the members of the Committee and requested their attendance. Yesterday evening a majority of the committee got together and action was taken on the report. Gov. Stewart and Mr. Knott were not at the meeting last night. I went to Gov. S. this morning, and he concurred in the report, so that makes a majority. I read the resolution to Mr. Knott this morning, and he gave as an excuse that he was too unwell to attend our meeting. These are the facts. Now, in reference to the other matter, the communication made by the gentleman from Georgia, as I understand it, was not only an ordinance of secession, but he also presented reasons why Missouri should dissolve her connection with the General Government and take her stand with Georgia. The report is not intended as a reply to the gentleman from Georgia. It involves only the natural consequences flowing from the invitation made by him: that we should dissolve our connection with the General Government and unite with Georgia in the formation of a separate and distinct Confederacy. That being the invitation, we owe it, as a matter of courtesy to the State of Georgia and her Committee, to give our reasons why we cannot accept her invitation. The report is strictly confined to that matter.

Mr. Hall, of Buchanan, called for a division of the question.

The report was then laid on the table.

The ayes and noes were then demanded on the motion to make the report the special order for the 3d Monday in December next.

EXPLANATION OF VOTES.

Mr. Dunn. Mr. President, I will vote for the postponement, for the reasons given by the gentleman from Clay, (Mr. Doniphan,) and I fully concur in the views just enunciated by him. I indorse the resolutions presented on behalf of the minority of the committee, by my colleauge from Clinton, (Mr. Birch;) but as the report submitted by the chairman of the committee is a very lengthy one, embracing a wide range of topics, I deem it best to postpone the whole subject, in order to give ample time for a full examination of the report and resolutions.

Mr. Doniphan. Mr. President, I desire to give my reasons for voting to postpone. I most fully indorse the resolutions read by the gentleman from Clinton, and especially the third of the series—as it contains, substantially, my own views upon the subjects enunciated. A few days ago I voted against an amendment offered by the gentleman from Montgomery, (Mr. Bast,) as I did not think such amendment was legitimate, in that connection. We were then presenting a basis of adjustment to the whole Union, and I did not deem it in good taste, or at all proper, to present it in the nature of an ultimatum, or in a spirit of apparent dictation to the other States, free or slave—but intended, at a proper time, to present my own views, and those of concurring friends, similarly situated, in a separate proposition; and no opportunity could have been more proper than such a resolution, in answer to the propositions from Georgia, alone. But as fully and heartily as I indorse them, and desirous as I feel for this Convention to announce the opinion in this manner, that when all means have failed, in our opinion and the opinion of the border slave States, to obtain any honorable adjustment, that their final position must be the same—their interest, their honor and their destiny is the same—yet, as I do not approve the majority report, and deeming it due to Missouri and to ourselves not to send any such unkind or ungracious message to a sister State, though erring, when we should conciliate, and use every means to induce her to return—I shall vote for the postponement.

Mr. Redd. While I am prepared to vote for the minority report, yet in view of the course pursued by this Convention to cut off all amendments by a motion for the previous question made in the same breath that the resolution is offered—in view of that policy I shall vote aye.

Mr. Sol Smith. When the application of Mr. Glenn of Georgia, to be heard in this Convention was made, I voted against hearing him, and therefore it is that I must explain my vote. I voted against hearing the Commissioner from Georgia, because the credentials he presented to the Convention, officially informed us that his object was to invite the co-operation of Missouri in forming a Southern Confederacy. The Constitution of the United States, which I have sworn to support, provides (Art. 1, Sec. 10), that "No State shall enter into any agreement or compact with another State or with a foreign power." We cannot, therefore, entertain his proposition. If Mr. Glenn had come here asking to bring about a reconciliation between the States I would have received him with open arms.

Now on this question of postponing till the 3d Monday in December, I have this to say: that as the reports are now on the table, they are liable and subject to be called up at any time at the will of a majority of this House. I am in favor of calling them up immediately, and I shall therefore vote against a postponement. I say the sooner we make our wishes known to Georgia, and give our answer, the better; the sooner we tell Georgia and the seceded States that Missouri is going to stay in the Union, the sooner we can bring them back. There is not one word in the resolutions offered in the majority report but what I am ready, as one of the members of this Convention, to say to our sister Georgia. I believe this is the best way, to bring her back into the Union; and when she is brought back, and the other States are brought back, I will join with my friend here, (Mr. Allen,) who always answers first when the ayes and noes are called—this good looking gentleman on my right—I will join with him in killing the fatted calf, when Georgia and the other seceded States, like the Prodigal Son, shall return, and will fall upon the necks of their people and kiss them; and I will not confine myself to the ladies, as he says he will, but I will kiss every man and every woman and every child in Georgia, or any other Southern State; and if necessary to show my devotion to the Union cause, and as a means of bringing them back, I would not object, even, to kiss some good looking niggers! (Great laughter.)

Mr. Stewart. I shall vote against a postponement, and in doing so I desire to explain my vote. I do not approve of the practice, but I consider I have just as much right to do so as any other man. My private opinion is, publicly expressed, that this Convention was gotten up for the purpose of putting Missouri out of the Union before the delivery of Lincoln's Inaugural address. I dissented from that opinion, and I believe I had something to do in preventing such a catastrophe, in my last message, which differed most diametrically from that of Mr. Jackson—Gov. Jackson. He entertained one view of that question, and I differed with him, for we can have our rights. I am opposed to the word secession. I do not believe there is such a word in the book. I believe the encouragement of such a principle would not only destroy the people of the United States, but would destroy all government. I look upon this Government, as I look upon a contract among gentleman. If two gentlemen declare they will make a contract and say we will invest a certain portion of our means, and draw out our share of the profits, in proportion to what we put in, I think if one of them should take all the money, and put it in his pocket, and walk off with it, that would be secession. I do not want any such principle as that recognized. I don't think I am obliged to go out because Georgia or any other State has gone out. I believe, however, that Georgia has a right to protection of her property, but I don't believe cotton is king. I believe beef and mutton are as much kings as cotton. I believe the Abolitionists of the North have inculcated a false and mock sentiment among the people of the North, and I believe if we could dispose of many men of this class, it would be better for the people generally, yet at the same time, I think the South took advantage of their own wrong in the Charleston Convention. They seceded right there; such men as Yancey—but I won't call names—they seceded, and if they had not seceded they could have crippled Lincoln's Administration. And then when they got up a Committee of Thirty-three in the House of Representatives, they seceded again. I read Blackstone myself once, and I understand it to be a principle of law and common sense, that no man shall take advantage of his own wrong. Now, I think the seceded States, if they had staid in would have succeeded, and I say it is a species of bad logic to turn around and take advantage of their own wrong. I say this Government is carrying out the great mission for which it was created, and it has the right to do it as well as any other government. It has the power and the right to protect itself against external invasion and internal strife in any shape. A government must possess this power; this power to coerce, and I don't use that word in the sense of common demagoguery—a government is not worth any thing if it does not possess this power. A government that has no constitutional power to protect itself is no government at all. I would not live in a government if I thought it did not possess the moral power for coercion. This word coercion is very much abused. If any gentleman will read Webster's dictionary, as I have, although I don't pretend to be much of a scholar, he will find that coercion means *to control* by any kind of force. If I made a speech here to-day, and I should convince somebody that I was right, that would be coercing, not by military force, but by argument. If I felt an inclination to violate the law in some respect, the force of public opinion operating upon me at the time, would coerce me. I think that coercion and submission follow us to the grave. The mother, when she dandles the infant on her knee, or pats him on the chin—I think that is coercion. I think the child loves the mother because she coerces him, and if she were to take a stick I think he would object to it. I used to teach school, and I found out that I could coerce the scholars better with the tongue than with the stick.

But I say a government must possess this power of coercion, either in one way or another; either by moral suasion or some other agency, and must exercise its own judgment as to the proper means of using its power.

The vote was then announced as follows:

Ayes—Messrs. Bartlett, Bass, Bast, Bogy, Brown, Calhoun, Cayce, Chenault, Collier, Crawford, Doniphan, Donnell, Douglass, Drake, Dunn, Frayser, Flood, Givens, Gofin Gravelly, Harbin, Hatcher, Hill, Holt, Hough, Howell, Hudgins, Irwin, Jamison, Kidd, Knott, Marmaduke, Matson, McCormack, McDowell, Morrow, Moss, Noell, Philips, Pomeroy, Rankin, Redd, Ritchey, Ross, Rowland, Sawyer, Sayre, Shackelford of Howard, Shackelford of St. Louis, Sheeley, Waller, Watkins, Welch, Woodson, Woolfolk, Zimmerman—56.

Noes—Messrs. Allen, Birch, Breckinridge, Bridge, Bush, Eitzen, Foster, Gamble, Gantt, Hall of Buchanan, Hall of Randolph, Henderson, Hendricks, Hitchcock, Holmes, How, Isbell, Jackson, Johnson, Leper, Linton, Long, Marvin, Maupin, McClurg, McFerran, Meyer, Norton, Orr, Ray, Scott, Smith of Linn, Smith of St. Louis, Stewart, Tindall, Turner, Wilson, Wright, Vanbuskirk, Mr. President—40.

So the report was referred.

The question then recurred on the adoption of the seventh resolution and the amendments thereto.

Mr. **Shackelford**, of Howard, withdrew his amendment.

Mr. **Wilson** asked leave to withdraw his amendment.

The **Chair** decided it could not be withdrawn, except by the consent of the gentleman from Clinton (Mr. Birch.)

Mr. **Hall**, of Buchanan, then offered the following substitute to the amendment offered by the gentleman from Clinton:

"The President of the Convention shall be added to the committee, and shall be, ex-officio, chairman of said committee."

Mr. **Birch**. I prefer that the subject be recommitted to the Committee on Federal Relations and that they report at 2 o'clock to-day. I make that motion.

By Mr. **Gantt**. *Resolved*, That the report of the Committee on the communication of the Commissioner of Georgia, together with both sets of resolutions accompanying the same, be printed for the use of this Convention.

Mr. **Welch**. I move to insert 100 copies.

Mr. **Gantt**. That would hardly be enough. The additional expense would be slight. I suggest 200 copies.

Mr. **Welch**. I will amend by inserting 150.

Mr. **Gantt**. I assure the gentleman the difference in expense will be so trifling as not to be considered.

The **Chair**. If there is no objection two hundred copies will be inserted.

The resolution was then adopted.

Mr. **Redd**. The next resolution is the resolution embraced as supplementary to the report of the Committee on Federal Relations concerning a Border State Convention. I desire to offer a substitute for that resolution.

Mr. **Welch**. I move that the Convention adjourn till 2 o'clock.

Motion sustained.

AFTERNOON SESSION.

Convention assembled at 2 o'clock.

Mr. **Gamble**, from the Committee on Federal Relations, presented the following substitute for the seventh resolution, which was adopted:

Resolved, That there shall be a committee to consist of the President of this Convention, who shall be ex-officio Chairman, and seven members, one from each Congressional District of the State, to be elected by this Convention, a majority of which shall have power to call this Convention together at such time prior to the third Monday of December, and at such place as they may think the public exigencies require, and in case any vacancy shall happen in said committee, by death, resignation or otherwise, during the recess of this Convention, the remaining members or member of said committee shall have power to fill such vacancy.

Mr. **Gamble** also, by common consent, changed the phraseology of Mr. Shackelford's amendmet to the 5th resolution, so as to make it harmonize with that resolution. The amendment referred to now reads as follows:

"And in order to the restoration of harmony and fraternal feeling between the different sections we would recommend the policy of withdrawing the Federal troops from the forts within the borders of the seceding States where there is danger of collision between the State and Federal troops."

The special report of the Committee on Federal Relations in regard to calling a Border State Convention, was next taken up.

Mr. **Redd** offered the following substitute:

Whereas, The Convention of the State of Virginia now in session has adopted a resoluton in the following words, to-wit:

"The peculiar relations of the States of Delaware, Maryland, Virginia, North Carolina, Tennessee, Kentucky, Missouri and Arkansas with other States, make it proper in the judgment of this Convention that the former States should consult together and concoct such measures for their final action as the honor, the interests, and the safety of the people thereof may demand, and for that purpose the proper authorites of those States are requested to appoint commissioners to meet commissioners to be appointed by this Convention on behalf of the people of this State, at Frankfort, in the State of Kentucky, on the last Monday in May next;" and

Whereas, This Convention approving of said resolution, and being desirous of co-operating with the States named therein for the purposes therein named; therefore

Resolved, That seven commissioners be appointed by the President of this Convention to meet the commissioners from the States named in this resolution at the time and place therein named, and said commissioners are hereby instructed to report their action and the action of said Convention to this body at the next meeting thereof.

Mr. Sawyer offered the following amendment to the substitute:

Strike out all after the word *resolved* and insert: That seven delegates, one from each Congressional district, be elected by the qualified voters of the respective districts, whose duty it shall be to attend at the time and place designated by the Convention of the State of Virginia, for the meeting of delegates from the Border States; and if there shall assemble then and there, delegates duly accredited, from a majority of the States invited to such Convention, then the delegates from this State shall enter into conference with them, and shall endeavor to devise a plan for the amicable and equitable adjustment of all matters in difference between the States of this Union, and this Convention urges the Legislature of this State to make provision by law for the election of said delegates by the people; and in the event the Legislature shall fail to make such provision by law for such election, then that the President of this Convention shall appoint said delegates, and the delegates selected under this resolution, shall report their proceedings in such Conference, and any plan that may be there agreed upon, to this Convention, for its approval or rejection.

In order to the better understanding of the above amendment and substitute, we reproduce the original resolution reported by the committee. It is as follows:

Whereas, It is probable that the Convention of the State of Virginia, now in session, will request a meeting of Delegates from the Border States for the purpose of devising some plan for the adjustment of our national difficulties: and, whereas, the State of Missouri participates strongly in the desire for such adjustment, and desires to show respect for the wishes of Virginia; therefore,

Be it Resolved, That this Convention will elect —— Delegates, whose duty it shall be to attend at such time and place as may be designated by the Convention of the State of Virginia for the meeting of Delegates from the Border States; and if there should assemble, then and there, Delegates duly accredited from a majority of the States invited to such Conference, then the Delegates from this Convention shall enter into conference with them, and shall endeavor to devise a plan for the amicable and equitable adjustment of all matters in difference between the States of this Union. And the Delegates appointed under this resolution shall report their proceedings in such Conference, and any plan that may be there agreed upon, to this Convention, for its approval or rejection.

Mr. Redd explained that, when the proposition for a Border State Convention was before the Committee, they had *not* the Virginia resolution calling such a Convention before them, and consequently did not know whether it was proposed by the Virginia Convention to hold a Convention of *all* the border States, or only the border slave States. Hence the phraseology adopted in the original resolution. But now he held a copy of the Virginia resolutions in his hand, and as they called for a Convention of the slave States only, he had worded his substitute accordingly. There was also the further difference between the original resolution and the substitute, that while the former proposed that the delegates be elected by the Convention, the latter proposed that they be appointed by the President.

Mr. Hall, of Buchanan. The Committee that reported the original resolution were not aware, nor do they now know, what sort of a Convention the State of Virginia may recommend. Virginia has not at this time passed any resolution upon this subject. There is no doubt, however, that it will pass a resolution recommending a Convention of the border States. We do not know whether that resolution will recommend a Convention of all the border States, or merely of the slave States; hence it is that our Committee have recommended the appointment of Commissioners to meet the Commissioners of other States at such convention as the State of Virginia may recommend. Our object is to co-operate with Virginia in any effort which she may make to preserve this Union, and bring about a settlement of existing difficulties. I now move to fill the blank in the original resolution with the words, "one delegate from each Congressional district."

Mr. Sawyer. I desire to say, that the amendment offered by me, is different from the original resolution and the substitute of the gentleman from Marion in this, that it provides for an election of delegates by the people, and urges the Legislature to make provision by law for holding such an election; and, if the Legislature fail in this, it gives the appointing power to the President of the Convention. I have offered it for the purpose of testing the sense of this Convenin regard to submitting the election to the people in the various Districts.

Mr. **Hall**, of Randolph. It is possible, sir, that the action of this Border State Convention may be of immense importance to our country. The weal of the country may depend upon the character of that body, and it is suggested, if the border slave States should undertake to act in concert for the destruction of our country, they may be able to accomplish it. It is all important that it should be composed of patriotic, Union-loving men. For that purpose, sir, it is very desirable that the influence of Missouri should be used in favor of the Union. It is desirable we should select the best men we can find. I object to any arrangement in the selection of delegates that will prevent us from selecting the best men in our body. I object to the proposition of selecting one from each Congressional district, because it precludes us from the choice of the best men we have. It is not at all probable that this Convention, under any arrangement, will select men that do not express the sentiments of a majority of its members; but while we shall select such, under any arrangement, it is very desirable that, in addition to that qualification, they should have the qualification of giving weight to their recommendations, and of having the power to enforce their views in any assembly in which they may act. Among the Union loving-men, therefore, we want men of weight, men of talent, of influence; those who will exert upon the delegates from other States all the influence that those qualities and that character can give them.

I moreover have some objection to the number of delegates. I can find, in my opinion, five men that will more fully meet the views of the majority of this Convention than seven; just as, in my opinion, seven delegates would be more efficient than a larger number. My own choice would be three; but, inasmuch as a precedent has already been made in the appointments to the Peace Conference, of representing this State by five, I will propose that the blank be filled by *five*.

Mr. **Sheeley**. I have come here, Mr. President, pledged to go for a border slave State Convention. I have come here determined to make every exertion I could to save this Union—to leave nothing undone that, in my judgment, would tend to promote peace and harmony all over my country. I have come to the conclusion that the best thing that could be done to bring about such a result, would be the calling of a border slave State Convention. Whenever you can get these States to co-operate with each other, one will not go out until they all can agree, and by that means you keep them together. You keep them in the Union, and you give time for the Northern mind to react, and give us such Constitutional guarantees as we are willing to accept. I believe, in this case, that *time* is the essence of the contract. If we can get time, sir, all will be right. I have no doubt of it myself. I believe if you give the Northern people time to act, they will, with a unanimity unprecedented, come up and give us our guarantees. Then the question arises, what is the best mode and manner to call such a Convention. I believe in distributing delegates in every portion of the State, and I will say to the gentleman from Randolph, that we have men of talent in every portion of the State, and there is not a Congressional District but what has as many men worthy to be elected delegates to the Convention as the resolution requires, and more—men in whom the people would confide; men in every respect qualified to represent us in any Convention whatever. I do not believe we have the right to confine ourselves, in the election of delegates, to this body. There are others just as well qualified to represent the State. I also think we should have at least as many delegates as we have members of Congress. It is true that we are at present the immediate representatives of the people. They have but lately elected us, and it may be supposed that we are the immediate exponents of their wishes. We *can* elect the delegates, but the people can elect them better than we can. Believing that they are the proper source of power, in this as in all other respects, and that it is wrong to take the election from them, I shall vote for the amendment of Mr. Sawyer.

Mr. **Shackelford**, of Howard, moved the previous question, which was sustained.

The question being on the adoption of Mr. Sawyer's amendment, the following gentlemen explained their votes:

Mr. **Henderson**. I desire to say that I am decidedly in favor of selecting one delegate from each Congressional District. I have no objection at all to an election by the people. I look to the people to settle these questions, and if this was a Convention called for the purpose of altering or amending the Constitution, I should most assuredly vote for the proposition offered by the gentlemen from Lafayette, (Mr. Sawyer.) But that is not the object of the Convention. We have met here for the purpose of devising some means for settling our national difficulties. The amendment proposes to refer the matter of an election of delegates to the Legislature. Now, I do not know at what time Virginia will call a Border States' Convention, but it may be before we can have an election by the people, and I am therefore in favor of electing the delegates by this Convention. I do not, by any means, object to the action of the people, but would rather have the Convention elect in this instance, because of the difficulty in time.

Again, according to this amendment, if the Legislature fail to prescribe an election by the people, then your Honor will be called upon to act. Now, I have the greatest confidence in your Honor, but still I may be excused for preferring that the Convention should act in a matter of so much responsibility as this. I shall therefore vote against the amendment.

Mr. Hudgins. This proposition of a border slave State Convention is one that I look upon as better calculated to bring about an adjustment of our present difficulties and restore harmony, than any other measure passed upon by this body. It is more important than anything else we have voted upon, and as the selection of these delegates is a matter of the utmost importance and having the greatest responsibility attached to it, I feel inclined heartily to concur in the amendment of the gentleman from Lafayette. I believe in letting the people take this matter into their own hands and assume the whole responsibility. I believe that there are intelligent men outside of this Convention—in every district—who are fully capable to do justice to the mission which is confided to them under the resolution. I shall therefore vote *aye* on the amendment.

Mr. Moss. I believe in the policy of letting the people select their representatives in all matters affecting their interest. But, sir, in this case, all the issues that will be presented to the Border State Convention, were before the people in the election of their delegates to this Convention. Now, sir, if there was a question of public policy submitted to this Convention, that had not been thoroughly canvassed before the people, I should be in favor of leaving this election to the people, but the whole question has been canvassed before them, and their delegates came here virtually instructed by the people what they are to do. The sentiments, I presume, of the delegates here are the sentiments of the people of Missouri, and I shall therefore vote against the amendment. I am opposed to going back before the people, and going into a game of hard scrabble with the secessionists as to who shall have the power in that Border State Convention.

Mr. Norton. I desire to explain the reasons which will impel me to vote against this amendment. The proposition now before the Convention is to send delegates to a Border State Contion, which may or may not meet. That Convention is to be convened upon a hypothetical state of facts. If the States of Virginia, Maryland, Delaware, North Carolina, Missouri, Arkansas, etc., or a majority of them, were to send delegates to a Border State Convention, then the delegates appointed by this Convention, or elected by the people, or appointed by the President, as the case may be, would be authorized, under this resolution, to meet in conference with those delegates in that Convention. The assembling of that Convention is based upon a hypothetical state of facts. What are the facts? In North Carolina, no Convention has been called; Tennessee has voted against a Convention. From Maryland and Delaware our advices are that there will be no Conventions there. The Legislature of this State is now in session, and I am informed that it designs adjourning on Monday. I am in favor of every delegate who will represent Missouri in a Border State Convention being selected by the people. I am in favor of their coming fresh from the people, and if there was any probability that they could be understandingly elected by the people—that is to say, that they could be elected by the people with a knowledge of the fact that the Border State Convention would convene—I should most heartily favor the amendment. As it is, I doubt whether the Legislature, not knowing whether a Border State Convention will assemble, and if it will assemble, at what time it will assemble, has the authority to order an election of delegates by the people. I trust and hope and pray that a Border State Convention may be held; but I do not see any necessity now for incurring the expense of a popular election; nor do I know, as I remarked, that the Legislature, under the circumstances, has the power to order such an election.

The amendment proposes that, in case the Legislature shall fail to provide for an election, the President of this body shall have power to appoint the requisite number of delegates. Now, with all due deference to the patriotic qualities and high-mindedness of the President, I am still of opinion that if we cannot get an election by the people, an election by this Convention is the next best thing which we can do. I believe that this question has been fully canvassed before the people, and that we are prepared to reflect the sentiments of the people in electing Delegates to this Convention. I shall therefore vote against the amendment.

Mr. Orr. Mr. President—

The Chair. I will say to the Convention that I deem it my duty to enforce the rules in regard to the explanation of votes more strictly than has heretofore been the case. I cannot allow gentlemen to go outside of a strict explanation of their votes in regard to the question pending.

Mr. Orr. Well, sir, I shall vote against this amendment, because its adoption will cost the

State ten thousand dollars. That's all. [Laughter.]

Mr. **Phillips.** Mr. President—I should be pleased to vote for this amendment, inasmuch as it was offered by my colleague. But, sir, for the reasons given by the gentleman from Platte, who has just assigned the objections entertained in my own mind, I am forced to vote against it. Not that I am opposed to remitting this election immediately to the people; for I believe that the great heart of the people of this State is patriotic and true, and that they would delegate men to Frankfort trustworthy. But, sir, believing the plan proposed by the amendment for getting this matter before the people, to be impracticable, I vote no.

Mr. **Pomeroy.** I go upon the principle that the less agitation we have at present on the slavery question, the better it is. A popular election, such as that proposed in the amendment, will be liable to produce a good deal of excitement, and hence I shall vote against it. I think that the people have given us full power to elect these delegates, and I am convinced that nothing will so much retard a restoration of peace and fraternal feeling, as the continued agitation of the slavery question.

Mr. **Redd.** Mr. President, I shall state briefly the reason for the vote I shall give. The gentlemen who oppose the amendment have satisfied me I ought to go for it. It is true that Maryland, North Carolina and Kentucky have not yet called conventions; perhaps the reason is that they are afraid to trust the people. While I am not afraid to trust the President of this body, I am not afraid to trust the people with the selection of their own agents, nor am I afraid to meet the secessionists of Missouri, (as some of the gentlemen appear to be,) before the people of Missouri. I shall therefore vote *aye*.

Mr. **Ritchey.** I am opposed to a Border State Convention, for the reason that the Constitution makes no provision for such a convention, and it being a sectional convention its effect will be to create a degree of prejudice in the minds of our Northern brethren, and thereby endanger the adjustment of our national difficulties in a National Convention. And further, all that can be done in in a Border State Convention can be done in a National Convention, where the propositions of the border States can be ratified or rejected. However, if propositions made by the border States in a national convention should be rejected, then I should be in favor of a Border State Convention to determine what course of policy should then be pursued by the border States. I vote no.

Mr. **Shackelford**, of Howard. The Border State Convention is merely a conference on the part of commissioners sent by the States, and their action has no legal effect at all; and as we have already provided for delegates to a National Convention, to be elected by the *People*, and as this National Convention will have superior power, and must either adopt or reject the propositions of a Border State Convention, I shall vote no on this amendment.

Mr. **Stewart.** I shall vote against this amendment for the reason that I believe the people are practically *here*. I believe the members of this Convention are the people. I believe the one great feature which distinquishes a republican government from a monarchy is, that in a republican government the people are not only the source of power, but they are *the* power; and as it would be impracticable for the whole people to act in a body, they send representatives, and act through them. I think any lawyer knows that. I say that this Convention is bigger than the Legislature. It is the State itself. It is the *people*. There is only one practical question before the people, and that is whether this State shall go out of the Union because some other State or any combination of States tells her to go out, or whether she shall mind her own business. Mr. President, I believe that this Convention has the right to put its thumb right on this Legislature—[Here the hammer fell.]

Mr. **Howell.** I have been in favor, and am now in favor of getting an adjustment of all these difficulties which surround us. And since this amendment was offered, upon further consideration I have become satisfied that it would be impracticable; and as I am in favor of doing something which *is* practicable, and for the reason that this Border State Convention is to be purely a consulting convention, and its final determination will have no binding effect whatever upon this State, and its action will have to be referred back to this Convention for its approbation, I vote no on this amendment.

Mr. **Allen** asked leave to change his vote from aye to no.

The vote thereupon stood as follows:

Ayes—Bartlett, Bast, Birch, Brown, Calhoun, Cayce, Chenault, Collier, Crawford, Doniphan, Donnell, Douglass, Drake, Dunn, Frayser, Givens, Gorin, Harbin, Hatcher, Hill, Holt, Hough, Hudgins, Jamison, Marmaduke, Matson, Rankin, Redd, Ritchey, Rowland, Sawyer, Sayre, Scott, Sheeley, Waller, Watkins, and Zimmerman—37.

Noes—Allen, Bass, Bogy, Breckinridge, Bridge, Bush, Eitzen, Flood, Foster, Gamble, Gantt, Gravelly, Hall of Buchanan, Hall of Randolph, Henderson, Hendrick, Hitchcock, Holmes, How, Howell, Irwin, Isbell, Jackson, Johnson, Kidd, Leper, Linton, Long, Marvin, Maupin, McClurg, McCormack, McDowell, McFerran, Meyer, Morrow, Moss, Noell, Norton, Orr, Phillips, Pomeroy, Ray, Ross, Smith of Linn, Smith of St. Louis, Shackelford of Howard, Shackelford of St. Louis, Stewart, Tindall, Turner, Welch, Wilson, Woodson, Woolfolk, Vanbuskirk, and Mr. President--57.

Amendment declared rejected.

Mr. **Redd**, by common consent, withdrew his substitute, and offered the following amendment to the original resolution:

"Strike out 'to be elected by this Convention,' and insert to be appointed by the President of this Convention in place thereof."

Amendment rejected by the following vote:

Ayes—Bass, Bast, Brown, Drake, Flood, Givens, Gorin, Hatcher, Hudgins, Matson, Redd, Sawyer, Sayre, Turner, Woodson—15.

Noes—Allen, Bartlett, Birch, Bogy, Breckinridge, Bridge, Bush, Calhoun, Cayce, Chenault, Crawford, Doniphan, Dunn, Eitzen, Foster, Gamble, Gantt, Gravelly, Hall of Buchanan, Harbin, Henderson, Hendrick, Hill, Hitchcock, Holmes, Holt, Hough, How, Howell, Irwin, Isbell, Jackson, Jamison, Johnson, Kidd, Leper, Linton, Long, Marmaduke, Marvin, Maupin, McClurg, McCormack, McDowell, McFerran, Meyer, Morrow, Moss, Noell, Norton, Orr, Phillips, Pomeroy, Rankin, Ray, Ritchey, Ross, Rowland, Scott, Shackelford of Howard, Shackelford of St. Louis, Sheeley, Smith of Linn, Smith of St. Louis, Stewart, Tindall, Waller, Watkins, Welch, Wilson, Woolfolk, Wright, Vanbuskirk, Zimmerman, Mr. President—75.

Mr. **Hough** asked the unanimous consent of the Convention to read a substitute for the original resolution, which he had prepared. Objections being made, he withdrew his request.

On motion of Mr. **Hall**, the blank in the resolution, by unanimous consent, was filled with the words, seven delegates, one from each Congressional District.

Mr. **Dunn** said he would offer one remark for the benefit of the Convention, before the Convention proceeded to vote on the resolution. It was this: that he had on almost every question which had come up before the body, so voted as to require no explanation. He hoped that others would take the hint and do likewise. It would greatly facilitate the action of the Convention. The vote was thereupon taken upon the adoption of the resolution, and resulted as follows:

Ayes.—Allen, Bartlett, Bass, Bast, Birch, Bogy, Breckinridge, Bridge Brown, Bush, Calhoun, Cayce, Chenault, Collier, Crawford, Doniphan, Donnell, Douglass, Drake, Dunn, Eitzen, Frayser, Flood, Foster, Gamble, Gantt, Givens, Gorin, Gravelly, Hall of Buchanan, Hall of Randolph, Harbin, Hatcher, Henderson, Hendrick, Hill, Hitchcock, Holmes, Holt, Hough, How, Howell, Hudgins, Irwin, Isbell, Jackson, Jamison, Johnson, Kidd, Knott, Linton, Long, Marmaduke, Marvin, Matson, Maupin, McClurg, McCormack McDowell, McFerran, Meyer, Morrow, Moss, Noell, Norton, Phillips, Pomeroy, Rankin, Ray, Redd, Ross, Rowland, Sawyer, Sayre, Scott, Shackelford of Howard, Shackelford of St. Louis, Sheeley, Smith of Linn, Smith of St. Louis, Stewart, Tindall, Turner, Waller, Watkins, Welch, Wilson, Woodson, Woolfolk, Wright, Vanbuskirk, Zimmerman, Mr. President—93.

Noes.—Leper, Orr, Ritchey—3.

Mr. **Irwin** offered the following resolution:

Resolved, That this Convention will adjourn on Friday, at 3 o'clock, P. M.

Mr. **Shackelford** suggested that under the resolution just adopted, it would be necessary to go into an election for delegates to the Border State Convention. Other business was before the House, and the Convention might not get through by the time specified in the resolution.

Mr. **Redd** said he expected the Convention to express its sentiments in regard to so much of the majority report of the Committee on Federal Relations, as was prepared by the chairman of the Committee, as an introductory argument to the resolutions, before adjourning. Mr. Gamble, the chairman, had said he was willing to defend all the arguments advanced in that report before the people of Missouri at the proper time, and he would now be willing to listen to anything which that gentleman might have to say. He might also deem it incumbent upon him to refute some of the arguments, and state the position of Missouri in accordance with what he believed to be the true sentiments of the people. He wanted the Convention to say that the introductory argument in this report is not the voice of the people.

Mr. **Phillips** suggested that if this question was proposed to be discussed between the gentlemen, they might do it after adjournment.

Mr. **Irwin** said the Convention had been sitting long enough, and it was highly proper that that it should adjourn on the following day.

Mr. **Meyer** desired to know whether the resolution to adjourn would give the Convention time enough to elect delegates to the Border State Convention.

The **Chair**. That depends upon the extent to which the Convention proposes to go in debating the election.

Mr. **Moss**. I would like to know if, in case we should want to have an evening session, we can have this hall or some other suitable hall for the purpose.

Mr. **Breckinridge**. I will make the necessary inquiry if the gentleman desires.

Mr. **Stewart**. If we can't get a room, we may be able to camp out somewhere. [Laughter.]

Mr. SHEELEY. Suppose we adopt this resolution, and find we cannot get through by to-morrow afternoon, shall we have the power to reconsider the vote and defer the adjournment?

The CHAIR. Yes, sir.

[Cries of "question."]

Mr. IRWIN's resolution was thereupon adopted.

Mr. DUNN offered the following resolution:

Resolved, That the delegates from each Congressional district be requested to recommend suitable persons for delegates to represent Missouri in the Border State Convention, and that they report that recommendation to this Convention to-morrow morning, at 10 o'clock.

Mr. HALL, of Buchanan. I do not see any necessity for this resolution. If the gentlemen repsenting the various Congressional districts choose to make nominations, they can do so; but I do not see any necessity or propriety of passing a resolution to that effect; I therefore move to lay it on the table.

Mr. BIRCH. I hope that the motion to table will not prevail. I desire that the resolution shall be passed, inasmuch as it will aid me in coming to a proper conclusion in regard to whom I shall vote for.

The motion to table was put and carried.

Mr. GAMBLE. The gentleman from Marion seems to have supposed that the Convention was in some manner committed to the report written by me as Chairman of the Committee on Federal Relations. My understanding of the introduction of legislative acts is this: When a measure is to be laid before a legislative body by a Committee, it is common for the Chairman to write a report, which is an argument in support of that measure. For instance, if the Committee on Commerce in Congress desires to submit a bill proposing a scheme of revenue, the Chairman of that Committee may, if he sees fit, write an argument in favor of that scheme; but when the report comes before the House, it is the bill which is acted upon and not the argument. When the House has gone through with the bill, it may be entirely changed in its features, and the argument may be entirely incongruous to the bill; and yet I do not know that it is ever proposed to change the argument so as to suit the bill. I understand that this House is in no manner pledged to my argument. The House acts upon the proposition of the Committee, but when it does so, it acts upon its own view of the proposition. I do not hold any gentlemen in this Convention bound to maintain the report which I have written, or maintain anything more than the resolution or resolutions for which he has voted. I shall not, therefore, deem it proper to enter upon the suggestion made by the gentleman from Marion, in regard to a debate on the report.

The CHAIR. With the permission of the gentleman I will state that he is wrong, in my opinion. My impression is that the whole report comes up for adoption or rejection, and, although the introductory remarks of that report were an argument offered by the chairman, I take it for granted that that argument was adopted in committee, and comes before the Convention as a part of the report. It becomes the property of the Convention, and they may pass upon the whole of it, either adopting or rejecting it. So far as reports accompanying bills in Congress are concerned, only the bills come before Congress for its adoption, and not the reports accompanying them. But this is a very different thing, and, in my judgment, the whole report of the Committee on Federal Relations is subject to amendment, adoption or rejection by the Convention.

After some further discussion, in which Messrs. Gamble, Wilson, Sheeley and the Chair, participated, the matter was dropped for the present.

Mr. BIRCH called up the report of the Committee of which he was chairman, and having submitted to the Convention whether it would make any further order upon the subject,

On motion of Mr. WILSON, the committee was discharged.

On motion of Mr. NORTON, the Convention adjourned.

NINETEENTH DAY.

ST. LOUIS, March 22d, 1861.

Convention met at 9 o'clock.

Hon. STERLING PRICE in the Chair.

Prayer by the Chaplain.

On motion of Mr. HALL, of Randolph, the reading of the minutes was dispensed with.

Mr. HENDRICK rose to make a personal explanation. He said a slight mistake had been made in the report of his remarks pending the vote taken on Mr. Shackelford's amendment, and re-stated his position as follows:

I explained in these words when the question was put on the adoption of Mr. Shackelford's amendment to the original resolution. I oppose the adoption of the amendment, because the original resolution expresses the proper sentiment of a request to both the General Government and also the seceding States, to withhold and stay the arm of violence, whereas the amendment in addition thereto requests the General Government to give way and yield to a demand made with a menace. It seems to concede too much to the claim of the legal right of secession and demand of possession of the Forts. I prefer that the Government would withdraw the troops of its own free will and accord.

A call of the house was ordered, and 28 members found absent.

Mr. Birch moved that the Convention proceed by Congressional Districts to elect Delegates, who shall have the power to call the Convention together under the 7th resolution, adopted yesterday. Agreed to.

Mr. Long nominated Mr. T. T. Gantt, for the first Congressional District.

Mr. Hall, of Buchanan, moved that the nomination of Mr. Gantt be made unanimous. It was so declared.

Mr. Woodson nominated Dr. J. T. Matson, of DeKalb county, for the second Congressional District.

Mr. Henderson nominated Mr. Woodson.

Mr. Redd understood that the nomination of Mr. Matson was agreed to by all the counties comprising the Congressional District, excepting one Senatorial District.

Mr. Henderson said that by the action of the Convention on a resolution which was offered yesterday, he considered himself at liberty to present any name to the Convention. He had not been able to attend the meeting of delegates from his district. He knew Mr. Woodson to be well qualified to act as committeeman, and was willing to take upon himself the responsibility of nominating him.

Mr. Howell. In reply to the observations of my friend from Pike, I have to remark that I announced on this floor last evening, that the delegates from the Second Congressional District would meet after tea at the Everett House. Judge Henderson was notified of that meeting, and informed me that he could not be present. If he called, he could have found us if he had desired to do so. It is true that the Convention voted down a proposition to permit the delegates from the respective districts to select their own delegate to the Border State Convention, yet the resolution giving each Congressional District a delegate, was was obviously intended to give a reflex of the opinion of the people in every section of the State. I therefore insist that the Convention should defer to the nominations as made by the several delegations, and elect the nominees as the surest means of reflecting the will of the people.

Mr. Doniphan urged the necessity of harmonious action. The men who were to represent Missouri in the Border State Convention, should be of a character to command universal respect. This was the more essential, because the Legislature might think of sending its own delegates, or leaving them to be elected by the people, and in such case, the delegates of this Convention should be able to go before the people and vindicate their claims to the popular suffrages.

Mr. Woodson declined the nomination.

The Secretary commenced calling the roll, pending which

Mr. Henderson withdrew the name of Mr. Woodson.

On motion of the same gentleman, the nomination of Mr. Matson was made unanimous.

Nominations for the Third Congression'District being in order,

Mr. Woolfolk nominated Mr. J. T. Tindall, of Grundy county.

The nomination was declared unanimous.

On motion of Mr. Hall, of Buchanan, Mr. Robt. Wilson, of Andrew county, was nominated for the Fourth Congressional District.

Concurred in unanimously.

On motion of Mr. Marvin, Mr. J. Proc Knott, of Cole, was nominated for the Fifth Congressional District.

Concurred in unanimously.

On motion of Mr. Isbell, Dr. J. W. McClurg, of Camdem county, was nominated for the Sixth Congressional District.

Concurred in unanimously.

Nominations for the Seventh Congressional District being in order,

Mr. Bogy nominated Dr. McCormack, of Perry county.

Mr. Watkins nominated Mr. Cayce.

Mr. Cayce declined.

Mr. Watkins insisted on the nomination. He proceeded to pay a high eulogium to the character and qualifications of Mr. Cayce.

A vote was taken, with the following result: McCormack, 56; Cayce, 32.

Mr. McCormack was declared elected.

On motion of Mr. Hall, of Buchanan, the Convention proceeded to the election of Delegates to the Border State Convention.

Mr. Welch. I am not aware whether the delegates from the different districts have agreed upon delegates to this Conference. It is important that this Convention should select men well qualified, for that position. In all probability, as has been intimated, the Legislature of the State will order an election, by the people, of delegates to that Conference. Whether, sir, that may be done or not, of course I am not prepared to say, but if the Legislature of the State shall assume that responsibility and order that election, I think, sir, it becomes this Convention to select men who are able and willing to incur the labors of a heated canvass. I believe the delegates who are selected by this Convention, should immediately announce themselves as candidates for that position, in order to avoid the troubles of a contested election in that Border State Convention.

The Chair. I will state to the gentleman that he is out of order. There are no nominations before the Convention.

Mr. ——. I nominate Hon. Hamilton R. Gamble for the First District.

Mr. Welch. I was about saying, Mr. President, that we should be cautious and wise in the selection of our delegates. I was also remarking it would be the duty of these delegates to announce themselves as candidates for the position, in order to avoid the trouble of a contested election in that Convention, and thus destroy the influence which this great Empire State of the West ought to have in that Convention. Such being my views, I was going to remark that I hope no Congressional District on this floor would nominate a man who was not able to defend this Convention on the stump; that they should nominate men who are able to canvass and willing to incur that labor. I know not whether any other District except our own has agreed upon a nomination. We have nominated a gentleman who is able and willing to meet these questions on the stump, and I hope every other District will do the same thing.

Mr. Hall, of Buchanan. I move that Mr. Gamble be chosen unanimously. Motion sustained.

Mr. Zimmerman. I rise to put in nomination the Hon. John B. Henderson, of the Second District. It is unnecessary to say anything in his behalf. His past course shows that he is able to undertake the task that will be assigned him.

Mr. Howell. At the instance of all the delegates from the Second Congressional District, except those from the Pike District, I put in nomination Judge Woodson. Judge Woodson is a man of large experience and business qualifications. He has been a citizen of the State upwards of forty years. More than that, he is a good man. He was elected on the Union ticket against what was understood to be a secession ticket. His voice and acts in this Convention are as good a guarantee on that subject as the Convention ought to require.

Mr. Flood. Permit me to second the nomination. It is unnecessary for me or any other gentleman to speak in regard to Judge Woodson. He is known to all the delegates in the Convention. With all due respect to the other nominee, I do not believe there is a man in our district who will reflect the wishes of the people better than Judge Woodson. In a word, I will say he is a Union man, and a man in whose heart there is no guile.

The vote was announced as follows:

Henderson, 52; Woodson, 37.

Mr. Roland. I rise for the purpose of nominating Wm. A. Hall, of Randolph county, for the Third Congressional District.

Mr. Givens. I nominate Mr. Sayre.

Mr. Howell. I desire to inquire whether the delegates from that district have agreed upon any one?

Mr. Rowland. I can answer that ten out of thirteen of the delegates nominated Mr. Hall. I intend to be consistent in my actions here, and vote for delegates who reflect the sentiments of their districts. I shall therefore vote for Mr. Hall.

The vote was announced as follows: Hall, 66; Sayre, 26.

Mr. Birch. At a meeting of twelve out of fourteen of the Fourth District, James H. Moss was unanimously nominated. I have the honor, therefore, to put him in nomination; and I ask permission to say that he has as well sustained the flag in foreign lands as he sustains it here; and his capacity to act in a Border State Convention has been made manifest by his acts upon this floor.

Mr. Gantt. I move the nomination be made unanimous.

The motion was sustained.

Mr. Philips. I put in nomination, for the Fifth District, Wm. Douglass, of Cooper county.

Mr. Brown. I put in nomination Mr. Comingo, of the same district, a gentleman who was elected upon a Union ticket, who is as sound a Union man as lives.

The vote was announced as follows: Douglass 71, Comingo 20.

Mr. ———. I reflect the will of the majority of the Sixth District in nominating Judge Hendrick.

Mr. Isbell. I nominate Mr. Orr.

Mr. Chenault. I nominate R. W. Crawford.

Mr. Birch. I wish to be informed if either of these gentlemen have been agreed upon by a majority of the delegates.

Mr. Turner. I understand Judge Orr has been nominated by two caucuses.

Mr. Chenault. I would inquire when these caucuses were had.

Mr. Turner. One of them was held last evening.

Mr. Chenault. If I recollect right one of the gentlemen who have been nominated voted against this Border State Convention. It strikes me, if there is to be any contest on the subject, it is important that the Convention should send men who are favorable to the Border State Convention.

Mr. **Gravelly** explained in regard to the meeting of the delegates from the sixth Congressional district, from which it appeared that neither of the nominees for that district had received a majority of the votes of the delegation. He said he indorsed Mr. Orr as a sound Union man, and would have been willing to vote for him if he had been nominated. He preferred Mr. Hendrick however.

Mr. **Turner** explained that he did not intend to convey the idea that Mr. Orr has received a majority of votes of the delegates, but he wished it understood that Mr. Orr had received a plurality of the votes. Mr. Hendrick and Mr. Orr were both good Union men, and Mr. Orr had been nobly sustained by the people of his district at various times.

Mr. **Orr.** I wish to ask the gentleman who put me in nomination to withdraw my name. I don't want to be the cause of disturbance in the party. It is said I am a Union man. I am proud of it. It is said also that I am opposed to this border State convention. I acknowledge it. I was also opposed to the calling of this Convention, and the people sent me here to see that Missouri was not taken out of the Union. If I should go to this Border State Convention it would be for the same purpose. I desire, however, that my name be withdrawn. I have every confidence in Judge Hendrick, and am ready to give him my support. I believe he would be the right man to represent our interests in a Border State Convention. I shall take pleasure in voting for him, and I ask that my name be withdrawn.

Mr. **Isbell.** At the request of the gentleman I withdraw.

Mr. **Chenault.** At the request of Mr. Crawford, I withdraw his name.

The nomination of Judge **Hendrick** was made unanimous.

Mr. **Hatcher.** I rise to put in nomination Mr. Watkins, of the Seventh Congressional District. I have heard it strangely insinuated in this Convention that that gentleman was tinctured with secession. Those who make that assertion do him a great wrong and gross injustice. No one man in Southeast Missouri has done as much to put down secession as Mr. Watkins. I know of my own personal knowledge that he has cried down secession, that he has declared that the election of Lincoln was not a cause for dissolution, and I have never heard from any gentleman on this floor more effecting and touching appeals in behalf of the Union than from that gentleman. He ran as a Union man in his district, and he had no opponent upon his ticket, and yet 'tis said he is tinctured with secession. I have noticed particularly, that because some members from Southeast Missouri have differed in some slight degree from some of the resolutions reported by the Committee on Federal Relations; that for that reason it is said they are tinctured with secession. In the District from which I come there were secession candidates—those who would not admit it, but were in favor of it. But in the county from which Mr. Watkins came, not a secessionist dare raise his head. I feel it my duty to correct this strange insinuation which does great injustice and wrong. I nominate him for another reason. That is this: In the Border State Convention that is to be held, Virginia will probably send her Tylers, Read, and other distinguished men, and other States will send distinguished men. We propose to send a gentleman who has—and I say it without disparagement of any other gentleman—no superior in that Congressional district; besides, he is a gentleman who has had a large legislative experience. For these reasons, believing he is a statesman, among statesmen, and that he will faithfully represent Missouri, and the Union sentiment of Missouri, I place him in nomination.

Mr. **Bogy.** I nominate Mr. Pomeroy. I believe a majority of the delegates of that district are in favor of him.

Mr. **Stewart.** I know Mr. Watkins, and have served with him a great number of years in the Senate. I do not know Mr. Pomeroy personally. I don't like to vote in the dark. I believe I should be governed by principle, and not men. My personal predilictions are in favor of Mr. Watkins, because I know him, but at the same time I desire to know how both of these gentlemen stand on the question of revolutionizing or seceding.

Mr. **Bogy.** I will say Mr. Pomeroy is a Union man He is in favor of staying in the Union as long as he can.

Mr. **Watkins.** I will say to my friend Mr. Stewart that I am disposed to answer his inquiry. If I understand him, he wished to know whether I am in favor of secession or revolution. I answer, without hesitation, I am opposed to secession and against revolution; I am for the Union, and will stay in it as long as there is any chance or prospect of our getting our just rights. I think the slave States are entitled to guarantees, and I think the North ought to grant them. But I love the Union, and will try every legitimate, honorable and proper means to obtain those guarantees, before I go out. I am no secessionist, and never have been. I am no revolutionist, and never have been. I love the Union, and I have not a particle of disunion love in my veins.

Mr. **Stewart.** I should like to have the other gentlemen express his sentiments.

Mr. **Pomeroy.** I will state that during the canvass, I pledged myself to suffer my right arm to be palsied and fall before I would vote for an ordinance of secession under the present circumstances.

Mr. Stewart. I believe I will vote for Mr. Watkins.

Mr. Welch. In casting my vote on this occasion, I feel it due to make an explanation. So far as the positions of the two gentlemen are concerned upon secession and Union, I see no difference. Mr. Watkins I have known long and well; but since the commencement of this election, of these nominations, I have had but one governing motive in my vote, and that is, voting for men selected by a majority of the delegates. I therefore vote for Mr. Pomeroy.

Mr. Hough. By permisssion of the gentleman I will make a personal explanation. Yesterday evening it was announced there would be a meeting of the delegates of the 7th Congressional District, for the nomination of a candidate for the office for which we are now voting. The meeting was at my room. All the delegates did not attend, but some six or seven were there, and they all expressed themselves for Mr. Watkins. If there has been any other meeting, I am not aware of it. I know Mr. Watkins to be a Union man. His action has been in favor of the Union in southeast Missouri. There can be no question on that subject.

Mr. Bogy. There are fifteen members from that District. Eight of those delegates held a meeting last evening and expressed themselves in favor of Mr. Pomeroy.

Mr. Welch. It appearing then that Mr. P. is a choice of a majority of the district, I shall cast my vote for him.

Mr. Stewart. I desire to change my vote. I vote for Mr. Pomeroy.

The vote was announced as follows: Watkins, 39; Pomeroy, 51.

Mr. Breckinridge presented a communication from Geo. R. Taylor, President of the Pacific Railroad Company, stating that orders have been given to transport members and officers of the Convention over his road free.

Judge Birch offered a resolution that was unanimously adopted, tendering the thanks of the Convention to the Mercantile Library Association for the free use of the Library, and other privileges granted to them, as well as extending thanks to the hospitality of the citizens of St. Louis.

Mr. Woolfolk, from the Committee on Printing, presented the following report:

The Committee on Printing beg leave to report that, in accordance with instructions the Secretary of the Convention has had the printing executed by Geo. Knapp & Co., the expense of which will be less than $200.

The Committee also report that, in accordance with the resolution proposed by Mr. Dunn, on the 9th of March, and which was adopted by the Convention, they contracted with Geo. Knapp & Co. to print the proceedings of the Convention at rates not to exceed $500 for 5,000 copies of one hundred pages. At the time the contract was made it was thought that not more than one hundred pages would be required; but as the proceedings are now nearly printed they will extend over about two hundred and fifty pages. As a book of reference, the Committee deem it invaluable; the proof sheets have been submitted to the members interested for revision, and it will be the only authorized record, for public use, of the proceedings of the Convention.

The Committee respectfully ask that their action be indorsed by the Convention, and that the following resolution be adopted:

Resolved, That the account of Geo. Knapp & Co., for printing 5,000 copies of the proceedings of the Convention, be audited by the Committee on Accounts, and that the same may be considered as printing for the Convention, the payment for which is provided for out of the fund appropriated by the Legislature of the State, for the contingent expenses of the Convention.

The report was adopted.

Mr. Gantt, of St. Louis, offered a resolution tendering the thanks of the Convention to the Hon. Sterling Price, President, and Mr. Samuel Lowe, Secretary of the Convention, for the able and courteous manner in which they have discharged their duties to the Convention.

It was adopted unanimously.

Mr. Sheeley offered a resolution instructing the President of this Convention to transmit a certified copy of the proceedings of this Convention to the President of the United States and to the Governor of each State.

A resolution was passed tendering the thanks of the Convention to the President of the Pacific Railroad for his courteous and kind invitation.

Mr. Welch offered a resolution instructing the Committee appointed under the seventh resolution, that in the event the Legislature should be in session on or about the third Monday in December, that the Committee should be empowered to change the time and place for the calling together of this Convention.

Rejected.

On motion of Mr. Hall, of Buchanan, the Convention took a recess of one hour.

AFTERNOON SESSION.

Convention met at 12½ o'clock.

Mr. Woolfolk offered a resolution in regard to the distribution of copies of the printed debates and proceedings among the members, but accepted the following substitute offered by Mr. Birch, which was thereupon adopted:

Resolved, That, of the bound volumes of the proceedings and debates of this Convention, a copy be forwarded by the publishers, to the Clerk of each County Court, and the State Librarian, (for preservation in their offices respectively,)—to each member of the General Assembly now in session, and to each member of the Executive Government, and Judge of the Supreme Court—to the Librarian of each State in the Union, and of the Congressional Library at Washington—and that, after reserving a copy for each of the officers of this Convention, and for the Law and Mercantile Library, and Agricultural and Mechanical Associations, the remainder shall be forwarded, in equal and proper proportions, to the address of the members of this Convention.

Mr. WRIGHT offered the following, which was adopted:

Resolved, That the resolution of this Convention, requesting the General Assembly of this State to call for a National Convention, in pursuance of a provision of the Constitution of the United States, be communicated officially by the President of this Convention to the Legislature of this State.

Mr. FOSTER offered a resolution to cause a certain number of copies of the Majority Report of the Committee on Federal Relations, and the reports of the Committee on the Commissioner from Georgia, to be printed for distribution.

Mr. HATCHER moved to amend by adding the Minority Report of the Committee on Federal Relations.

Messrs. BIRCH and NORTON expressed themselves opposed to both the resolution and the amendment, inasmuch as the reports would all be printed in the regular proceedings, and hence this resolution involved an unnecessary expense.

The ayes and noes were called on Mr. Hatcher's amendment, with the following result:

AYES—Messrs. Bogy, Calhoun, Collier, Hatcher, Howell, Maupin, Norton, Pomeroy, Rankin, Shackelford of Howard and Tindall.

NOES—Messrs. Allen, Bast, Birch, Breckinridge, Bridge, Brown, Bush, Dunn, Flood, Foster, Gantt, Gravelly, Hall of Buchanan, Hall of Randolph, Henderson, Hitchcock, Holmes, Holt, How, Isbell, Jackson, Jamison, Johnson, Kidd, Leper, Linton, Long, Marmaduke, Marvin, McClurg, McCormack, McDowell, McFerran, Meyer, Morrow, Orr, Phillips, Rowland, Scott, Shackelford of St. Louis, Sheeley, Smith of Linn, Smith of St. Louis, Turner, Waller, Welch, Woodson, Woolfolk, Wright, Vanbuskirk and Mr. President.

EXCUSED—Mr. Redd.

Amendment declared rejected.

Mr. FOSTER said that as he had not been aware that the reports would all be printed in the regular proceedings when he offered his resolution, he would now withdraw it.

Mr. HOLMES offered a resolution allowing $5 each per day to Captains J. E. D. Couzins and J. D. Camp for services rendered the Convention. Adopted.

On motion of Mr. SHEELEY, the Convention thereupon adjourned to meet again on the third Monday in December.

STERLING PRICE,
President of the Convention.

ATTEST:

SAMUEL A. LOWE,
Secretary of the Convention.